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THE Martial Atchievements OF THE SCOTS NATION:

BEING

A full, complete and genuine History of SCOTLAND, from the Year of God 1329, to the Year 1514; with a clear and demonstrative Confutation of the Errors of former Writers, whether Domestick or Foreign;

AND

A Survey of the Military Transactions wherein SCOTLAND or SCOTSMEN were remarkably concerned during that Period of Time.

By Patrick Abercromby, *M. D.*

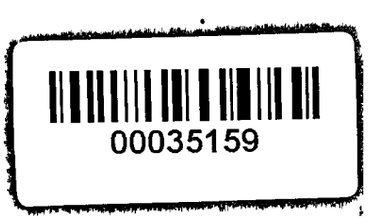
VOL. II.

Hic manus ob patriam pugnando vulnera passi:
Quique sui memores alios fecere merendo.
Hic quibus invisi fratres, dum vita manebat,
Pulsatusque parens: ———
——— *Quique arma secuti*
Impia; nec veriti dominorum fallere dextras.

Virg. Æneid. Lib. VI.

EDINBURGH,

Printed by Mr. ROBERT FREEBAIRN, Printer to the KING's most Excellent Majesty, and sold at his Shop in the *Parliament* Close, M. DCC. XV.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To the Honourable

GEORGE LOCKHART

OF

Carnwath, Eſquire.

Honourable Sir,

INgenuity and Truth oblige me to commence this Letter, by putting a coarſe, but ſincere Compliment upon you. It is *long* ſince I heartily wiſhed for, and earneſtly courted the Honour (and a very great Honour I reckon it,) of your *Patronage* to this *Second Volume* of my intended Work; but I did it not, till, by Means of the Acceſs which I had to your *Acquaintance*, the many Obſervations which I had Occaſion to make upon your publick and private *Conduct*, and the concurring Voice of common *Fame*, I plainly diſcovered your Character, in thoſe which I had drawn of our worthieſt *Anceſtors*: For I cannot help owning to your ſelf and the World, that if I had known a better *Subject*, or a more faithful *Patriot*, and conſequently one, in my Opinion, more reſembling thoſe *Worthies*, and more likely to re-act their moſt ſhining *Parts*, than you, I had ſued for the ſame Favour from him, which you have had the Goodneſs to grant me.

And now, ſince I have preſumed to addreſs you in this plain and unpoliſhed Manner, I might atone for it by claiming the Privilege allowed to all *Authors*

upon the like Occaſions, I might raiſe my Stile to a greater Height, and take an agreeable Survey of the uncommon *Advantages*, I may ſay Glories that ſurround you; I might look back upon the *Antiquity* of your *Family*, and demonſtrate from *Records* as old as the Reigns of King *DAVID the Saint*, and King *WILLIAM the Lyon*, that the *LOCKHARTS* of *LEE*, your Anceſtors on the *Paternal* Side, made a conſiderable Figure in thoſe early Days, when not a few *Families* and *Sirnames*, now abundantly conſpicuous, lay hid in the Chaos of vulgar Obſcurity: I [redacted] trace the no leſs ancient Origine of the *WHARTONS*, your *Maternal* Progenitors, down from their firſt Eſtabliſhment in the County of *WESTMORLAND* to the preſent Time, and ſhew that, as the Houſe of *WHARTON*, of which your Mother is an immediate Daughter, was dignified with Titles of Honour, a hundred and ſixty eight Years ago, by the King of *ENGLAND*, the Chiefs and Repreſentatives (as we call them) of the Houſe of *LEE*, thought it more adviſable, if not alſo more glorious, to decline, than to accept of thoſe *Honours* which their Merits deſerved, and their Sovereigns the Kings of *SCOTLAND* offered, but which an *unprecedented* Limitation entailed upon their Heirs hath made them to reject. I might enlarge upon the tried Loyalty and great Endowments of that valiant Souldier, learned Judge and able Stateſman Sir *JAMES LOCKHART* of *LEE* your Grandfather, who couragiouſly fought, and honourably endured no leſs than ſix Years Impriſonment in the Tower of *LONDON*, during the Courſe of the late *Civil Wars* and Uſurpation of *CROMWEL*, and who, from the happy *Reſtoration*, to his Death, which happened ſeveral Years thereafter, had ſo much of the Favour and Eſteem of his Maſter King *CHARLES* II. that he was made and continued one of the *Senators*

of

of the *College* of *Juſtice*, and *Lord Juſtice Clerk*. I might extol the celebrated Parts of another great *Stateſman* and *General*, Sir *WILLIAM LOCKHART* of *LEE*, your Uncle, whoſe Conduct and Courage in *War* were equalled by nothing more than his own Skill and Dexterity in the Management of Treaties and Negotiations of *Peace*. I might dwell a long Time upon the Merits of his Brother, who was alſo your *Uncle*, Sir *JOHN LOCKHART* of *CASTLE-HILL*, a *Senator* of the *College* of *Juſtice*, and a *Lord* of the *Juſtice Court*; but much longer upon the tranſcending Genius of your immortal Father Sir *GEORGE LOCKHART* of *CARNWATH*, than whom, no Nation, nor Age did ever produce a greater *Orator*, or an abler *Judge*: Supreme in both Capacities, he had few or no Rivals while he lived, and is not like to be matched by ſurviving Poſterity. I might congratulate you upon your being deſcended from ſuch a *Parent*, who ſufficiently ennobled and enriched you, if he had left you nothing but the Honour of being his *Son*, and your innate Deſire of walking in the *Road*, which he ſhewed you, to *Reputation* and *Virtue*. I might alſo congratulate you upon your being ſo happily married to a *Lady* of great Virtue, a Daughter of the noble Houſe of *EGLINTON*, and bleſſed with a numerous, hopeful and beautiful *Iſſue*. But

Tho theſe and many more ſuch *Favours* of *Fortune*, that meet ſo ſeldom together, do harmoniouſly conſpire to make you one of the moſt reſpected *Perſonages* we ſee on our Streets, and at the ſame Time one of the moſt happy at Home as well as Abroad; yet theſe are but (what I have called them) *Favours* of *Fortune*, foreign in a great Meaſure to your ſelf, and, in Truth, mere *Accidents*, without which you could ſtill ſubſiſt, and ſtill continue, what you have hitherto been, *a good* Man, and a *true Patriot*, two Qualificati-

ons ſo rare in this ſtupendouſly degenerated *Age*, that it is much, an *Author*, who writes not to flatter, but to diſprove the contrary Vices of Covetouſneſs, Ambition and Perfidy, can meet with a *Patron* of that almoſt ſingular *Character*.

I ſhall make no Compariſons, being fully perſwaded that it is ſtill, as it was in the Days of *AGRICOLA*, the good Fortune of *CALEDONIA, to have Store of Men* (the genuine Wealth and Product of our Climate) eminent for their *Courage*, *Conduct* and *Probity*. I have the Honour to be acquainted with ſeverals who are truly ſuch in my Opinion, and Time may chance to diſcover *Worthies* as yet unknown: But while Opportunity has been wanting to ſome, and others to Opportunity, you have always been awake, like the Guardian *Angels*, and always intent upon one *Point de Vue*, the publick Good. Your ſteady and unalterable *Reſolutions* in that Reſpect induced you, tho' you was but then in the *Dawn* of your *Days*, to diſſent from and oppoſe the *Treaty* of *Union* between the two *Kingdoms*, when all others, who were joined in Commiſſion with you, made haſte to conclude it: And ſince that Treaty took Effect, notwithſtanding the great Oppoſition it met with a ſecond Time, not only from *you* and ſuch *Patriots* as you, but alſo from all Ranks of People, however variouſly affected as to other Matters, what have you not done, in your publick and private *Capacity*, within and without the Doors of the honourable *Houſe* of *Commons*, where you have made ſo bright a *Figure*, to render it as *uſeful*, at leaſt as little *hurtful* to your *Country* and *Conſtituents* as was poſſible? Theſe laſt have been always ſo much ſatisfied with the Choice which they made of you to repreſent them in *Parliament*, that they no ſooner heard of the *Meaſures* you thought fit to purſue, but they generally joined their *Wiſhes* with your *Endeavours*,

deavours, and juſtly concluded, that, ſince you had thought fit to enter into ſuch a *Meaſure*, it muſt needs have been calculated for their *Advantage*. They had the leſs Reaſon to doubt of it, becauſe they very well knew that your *Judgment* was *ripe*, when your *Years* were *green*, and that the Idol of *Intereſt*, to which ſo many others have ingloriouſly bowed, had never any *Charms* in your Eyes. Indeed it is plain, that ſince you never enjoyed any of thoſe bewitching Things, called *Poſts*, *Preferments* and *Penſions*, you have been Proof againſt their Inchantments; and we all know that *Titles* of *Honour* have courted you, but that you ſcorned to accept of ſuch *Honours*, as might have been conſtrued to be the Rewards, not of *Courage* and *Loyalty*, but of criminal *Compliances* at leaſt, if not alſo of plain bare-faced *Diſhoneſty*.

I am ſatisfied that I have already tired your Patience, and that I would yet more encroach upon your Modeſty, if, paſſing over your *publick Character*, (which you may own without Vanity) I ſhould offer to contemplate you in another *Light*, and to diſcourſe of your more *private Endowments*: I ſhall therefore detain you no longer, nor venture to ſay any more, but that thoſe *Endowments* of your Heart and Soul, which are properly yours, becauſe you do not owe them to blind *Fortune*, but to bountiful *Nature*, and your own *Application*, next to your conſtant Endeavours for the real *Intereſt* and *Honour* of your *Country*, did firſt raiſe, and do ſtill nouriſh in my Breaſt, thoſe Sentiments of *Love* (be pleaſed to pardon ſo familiar an Expreſſion) *Eſteem* and *Reſpect*, with which I take the Freedom to prefix your *Name* to the following Sheets, and to ſubſcribe my ſelf,

Honourable Sir,

Your moſt humble, obedient,
and devoted Servant,

PATRICK ABERCROMBY.

THE PREFACE.

THE diſcerning Reader cannot fail to perceive at the firſt View, a conſiderable Difference between the *Title Pages* of this and the preceeding Volume of this Work, and that, whereas I formerly ſeemed to confine my ſelf to the Lives, Characters and memorable Actions of *Scots* Warriors, I now promiſe a full, complete and genuine Hiſtory of *Scotland*. Indeed I wiſh that I had deſigned ſo to do, and actually had done ſo from the Beginning; but, beſides the Reaſons which induced me to do otherwiſe, and which I publiſhed in my Preface to the Firſt Volume, I muſt ingenuouſly confeſs, that when I entred upon the Work, I had no farther View, but to reſcue from Oblivion the moſt honourable Actions of our braveſt Anceſtors, when all Circumſtances ſeemed to conſpire againſt their Memories, and to let Poſterity know, that there was a Time when the *Scots* Nation was triumphant at Home, and famous Abroad: But, as I advanced in the Proſecution of that Deſign, I had the Mortification to diſcover ſo much Injuſtice done to us by foreign Writers, and ſo many Miſtakes and Errors in our own, that I could not forbear endeavouring *to correct both; and thus I went inſenſibly* out of my Road, but luckily chanced to get into a better. For I had no *ſooner wandered* through thoſe dark Ages and Tranſactions that preceeded the Conqueſt of *England*, and *Reign of Malcolm Canmore* in *Scotland*, which in moſt of their Circumſtances, for ought we can know, are *uncertain, but, to my inexpreſſible* Satisfaction, I found my ſelf environed with ſo many Rays of the *moſt ſplendid Light* (I may ſay ſo, if contemporary Vouchers, and yet more unexceptionable Records can give Light to an ingenuous Author) that deviating ſtill more and more from my firſt Purpoſe, I went on with much Cheerfulneſs in the purſuit of Evidence and Truth, detecting the Calumnies of ſome, correcting the Errors of others, and making up the Deficiencies of all Authors, who had pretended to write the Hiſtory, or to give an Account of the Affairs of *Scotland*, before me; in ſo much, that tho I did not quite lay aſide my former Method and Quality of a Biographer, yet I really gave to the Publick in my firſt Volume, a complete and genuine, tho not exactly methodical Hiſtory of the Nation, at leaſt from the Reſtoration of *Malcolm Canmore*, or Year 1057, to the Year 1329, when King *Robert Bruce*, another Reſtorer of the Monarchy, died: And now having continued the ſame Hiſtory, much more Methodically, and with no leſs Ingenuity, down from 1329 to 1514, I have therefore made the Difference which is obſervable in the *Title Pages* of my Two Volumes.

No *Book*, I believe, did ever yet appear in the World, that did not meet with Exceptions and *Objections*, and I humbly conceive, that it may not be amiſs to ſpeak a little to thoſe that *have been made againſt* the firſt Volume of this Work, and by Conſequence may be thought to affect the Second. The Facts which I have related, the Records which I have peruſed, and Truth, the ſovereign Miſtreſs of my Affections, obliged me to illuſtrate and aſſert the hereditary Right of all our Kings (not excepting that of King *Robert Bruce*) ſo far as the Subject led me to it, (for I confine my ſelf to the Ages and Times I write of) together with the uncontroulable Power of thoſe Monarchs above the Caprice of lawleſs Rebels. This is a Crime for which I am not to expect Pardon from a great many in the Three Nations, who cannot bear to have it ſaid, much leſs proved, as I have often done, that Antimonarchical Writers, eſpecially *Buchanan*, *Hume* of *Godſcroft*, the Author of the ancient Rights of *Scots* Parliaments, *&c.* have miſled their Judgments, and filled their Minds with fictitious and falſe Notions, both of Men and Things. I have therefore been charged with being a Party-Man, becauſe, the Truth is, I have not followed the modiſh Way of Writing for a Party, and while I made it my Buſineſs to free our Hiſtory from the Miſtakes and Errors of all Authors whatſoever, I could not prevaricate ſo far againſt my Conſcience and Character, as to paſs over in Silence the moſt evident Falſhoods, and moſt palpable Calumnies of the Authors in Vogue. All the Atonement I can make to theſe Gentlemen, is to aſſure them that they have got fair Play, and that I have been ſo far from following the too uſual Method of torturing Words, miſconſtruing Phraſes, cutting off Sentences, concealing Evidences and citing falſe, which is ſo mean, and at the ſame

time ſo horrid a Wickedneſs, that, if I am well acquainted with my ſelf, I could not be guilty of it, to ſupport the moſt darling Intereſt in the World: I have been, I ſay, ſo far from writing after that diſingenuous and unchriſtian Manner, which is only of uſe when the Cauſe that one would defend is deſperate, that, on the contrary, I have not ſo much as offered to leſſen the real Force of their moſt plauſible Arguments. If by dealing ſo fairly I have the good Fortune to remove the Prejudices of the moſt Candid and Ingenuous amongſt them (for I do not hope to convince a whole Party of the moſt obvious Truth) I ſhall reckon my ſelf extremely happy; but much more, if any of them, by dealing as ſincerely with me, can prevail upon my Underſtanding to think otherwiſe than I do: In that Caſe I ſhall publiſh a Recantation of my former Sentiments, and think it no ſhame to boaſt of my being defeated by a ſuperior Adverſary. But, if I am not much miſtaken, my ſecond Volume will have the Fate of the Firſt, that is, moſt of that Party will not deign to look into a Book, which, they hear, is not calculated for the Support of their intereſted Opinions: Or, if they favour it with their Peruſal, will yet chuſe to take no notice in their Converſation or Writings, of the Matters of Fact and Arguments which it contains; and thus its real or pretended Obſcurity will skreen it both from their Contradiction and Cenſure: But then I am ſure, that thoſe Arguments and Matters of Fact, which by the by have till now been latent with the mouldy Records that vouch them, will not loſe their Value for being neglected by Men of antimonarchical Principles, while any ſhall remain in thoſe Kingdoms, who have the leaſt regard, either for the Royal Family, or the ancient Conſtitution of our Country.

In the next place, I have been blamed, tho indeed by very few, and thoſe none of the moſt knowing, for preſuming to correct and contradict, not only Party-Writers, but alſo moſt Part of, if not all former Hiſtorians, eſpecially thoſe of my own Country, for whoſe venerable Authority a Writer of my ſmall Reputation ought to have had a tender and juſt Regard. This Objection is more plauſible than material; for the truth is, I have ſtrenuouſly ſupported the Authority of all Authors, the *Scots* in particular, ſo far as I have found them conſiſtent with Truth, and I muſt do the Juſtice to one of theſe laſt, namely the Author of the *Extracta e Chronicis Scotiæ*, to tell the World, that I have ſcarce ever found him in a palpable Error, either in Point of Chronology, or Matter of Fact; which is the more ſurpriſing to me, becauſe all others, whom I have had occaſion to peruſe, are ſo frequently deficient in both; and that I differ from them, as I often do, I reckon it no Fault, but rather a Service done to my Country in particular, and to Mankind in general, of which I hope the preſent and future Ages will be ſenſible. In the mean time, the ſcrupulous Reader may be pleaſed to turn over to thoſe Places, wherein I pretend to confute any of his favourite Authors, (he will find their Names on the Margine) and if, after having attentively read and conſidered what I have offered as a Confutation againſt them, he yet continues to think them in the Right, I adviſe him to lay by the Book, which, I ingenuouſly confeſs, is not likely to be of great Uſe to Perſons of his Temper; but I intreat others, that they will be ſo kind to themſelves and to me, as not to ſuffer the Eyes of their Reaſon to be ſo much dazled by the bright Names of *Buchanan*, *Boethius*, *Leſly*, *Baker*, *Echard*, *Tyrell*, &c. as to reject the Light of brighter Records, becauſe it is not conveyed to them by an Author of their Fame.

The having made mention of Records leads me naturally to a third Objection againſt both my Volumes, but ſo unreaſonable, that I am almoſt aſhamed to take notice of it: A few very well meaning *Scots-Men* have thought that I lean too much upon the Authority of the *Fœdera Angliæ*, as I call them, as often as I have occaſion to cite them, that is, the Collection of *Engliſh* Records preſerved in the Tower of *London*, *Weſtminſter-Abbey*, the *Cotton* Library and elſewhere, made and publiſhed in fifteen large Tomes, at the publick Charge by the lately deceaſt Mr. *Rymer*. They ſay, that by ſo doing I have injured the Memory of *Robert Bruce*, commonly called the *Competitor*, a Heroe (if we believe *Scots* Authors) whom they will by no means allow to have been ſo daſtardly, as to ſubmit the Crown and Kingdom of *Scotland* to the uſurped Superiority of the King of *England*. They add, that the ſame Authority has induced me to make the forced Subjection of our Countrymen at *Berwick* in the Year 1296 more univerſal than it really was, and that upon the Faith of *Engliſh* Authors and Records, I ſometimes repreſent the immortal King *Robert Bruce*, as a Trimmer and Deſerter of the Intereſt of his Country. I cannot but commend the Zeal of thoſe Gentlemen, who ſet up ſo much for the Glory of our Anceſtors, that they are unwilling to believe, what is nevertheleſs certainly true, that even Heroes act ſometimes like Men. But as, I hope, they will not deny, if they have read my Book with ever ſo little attention, that I have ſet the heroick Part of King *Robert Bruce*'s Life in a clearer Light than any other had ever done, ſo I would intreat them to take notice of what all *Scots* Authors inform us, *viz.* that there was a time, when he did not only trim, but alſo fight openly againſt his Country: And ſince they ſay ſo, I can ſee no reaſon to diſtruſt the Veracity of *Engliſh* Writers, who tell us the ſame thing, tho they do it in other Words, and with other Circumſtances. As for my having made the Subjection of our Countrymen in 1296, more univerſal than it was, it is a very great Miſtake: *Buchanan* ſays pag. 249, *That all the Nobles who came to* Berwick *upon King* Edward's *Call, were*

forced

forced to take an Oath of Fidelity to him, and pag. 256. *That* Wallace *alone refuſed to ſubmit*; And *Boethius* fol. 294. *That King* Edward *compelled the whole Nobility of* Scotland *to ſwear*, &c. Whereas I on the contrary have proved pag. 498 and 525. Vol. 1. from *Engliſh* Authors and Records, that not long after the diſſolution of the Aſſembly at *Berwick*, a whole Army of Non-jurors appeared in the Fields who had never ſubmitted. But that *Robert Bruce*, the *Competitor*, did ſubmit himſelf, his Claim, and even the Crown of *Scotland*, ſo far as in him lay, to the violence of King *Edward* I. of *England*, before the Competition was decided (I ſtill think unjuſtly) againſt him, I am poſitive, and I have a very good *Scots* Author on my Side, that noble Champion and unanſwerable Aſſerter of the Liberty and Independency of *Scotland*, Mr. *James Anderſon*, by whom I am allowed to tell the World, that he has ſeen and peruſed, to his great Mortification, but full Conviction, no leſs than three authentick Inſtruments, by which that forced, but as Matters then ſtood, in a great Meaſure unavoidable Submiſſion of *Robert Bruce* Lord of *Annandale*, is evident; and what is evident all Men of Honour will acknowledge, and all Authors, who value the Intereſt of Truth and their own Reputation, relate, ſhould it be never ſo grating to themſelves, or ſo diſhonourable to the Memories of thoſe they would incline, if they could in Juſtice, to preſerve untainted. Had not Mr. *Anderſon* ſeen, examined, and been convinced of the authenticalneſs of thoſe original Evidences I mentioned but now, yet why that noble Collection of Records, than which no Nation has yet offered to publiſh the like, ſhould meet with the leaſt diſregard, I could never yet ſee a Reaſon, and am ſure, that tho the *Engliſh* ſhould repudiate them as fictitious and falſe, (indeed by letting People into the *Arcana Imperii*, they do lay open the Vanity of their moſt darling Pretenſions, together with the Injuſtice of their moſt towring Monarchs) yet all *Scots-Men* ought to ſupport their Credit, and to lay them up with religious Care, among the moſt valuable Jewels of the Imperial Crown of their Kings, whoſe Independency, rightful Title, Juſtice, Innocence and Fortitude are atteſted by them, and by no Vouchers nor Evidences, yet known to the World, ſo fully and unanſwerably as by them. And yet it is obſervable, that Mr. *Rymer* was at bottom an Enemy to *Scotland*; witneſs the ſeveral Letters which he publiſhed and directed to the Biſhop of *Carlile*, tending to leſſen the Reputation of our Nation, and among the reſt a forged Charter of Homage, ſuppoſed to have been granted by *Malcolm Canmore* to *Edward* ſirnamed the Saint. But, as Mr. *Anderſon* and others did ſufficiently confute and expoſe to the Laughter of Mankind, that unjuſtifiable Piece of Folly and Ignorance, ſo he being equally convinced and *aſhamed* of his Error, took care to avoid all ſuch, as could in the leaſt derogate from the Honour of *ſo noble a* Work as his Collections are, wherein, I ſay it again, nothing that is ſpurious or queſtionable *is to be found*.

For a further Confirmation of this Truth, and a certain Proof of the Tranſactions which I relate, I beg leave to acquaint my Reader, that, beſides the many Charter-Cheſts (*as we call* them) of Noblemen and Gentlemen to which I have had acceſs, and the additional Aſſiſtance of Converſation and Friends, I have had the ineſtimable Benefit of two Manuſcripts, and of one Book in print, all three made up of *Scots*, *Engliſh* and *French* Records, and that, as all theſe agree to a Title, in Day and Date, Words and Subſtance with one another, the ſame Records, or Duplicates of them, being often to be found in each of the three Collections, ſo they do agree in the ſame manner, without the leaſt variation, with the *Fœdera Angliæ*, which alſo contains great Numbers of them, than which there can be no greater Evidence of the authenticalneſs of all thoſe Records in general, and of every one of them in particular. I had one of the Manuſcripts by the favour of the Right Honourable the Earl of *Winton*; it is a large Volume, which hath certainly been copied from the Archives of *France*, and contains at full length all the Treaties that have been made by the Kings, Governors, Regents and Parliaments of *France* and *Scotland*, from *John Baliol* down to King *James* VI. I had the other, and it is a Collection of Records, the Originals of which are ſtill extant in the lower Parliament Houſe of *Edinburgh*, from Mr. *Alexander Baillie* Keeper of the publick Regiſter, a Gentleman every way qualified, if he had Incouragment, and it is a great Pity he hath it not, for ſo great a Performance, to oblige the Publick with ſeveral Volumes of *Scots* Records; tho, to ſay the Truth, there are few or no National ones to be ſeen of an older Date than the Reign of King *Robert Bruce*. Laſtly, I had the advantage of a Book, intituled, *Traitez d'entre les Roys de* France *&* d' Angleterre, from my excellent Friend *Alexander Baillie* of *Caſtlekery*, who is himſelf a very great Antiquary, and to whom I am much indebted upon many Accounts. That Book contains in Subſtance all the Tranſactions, as they ſtand upon Record, among the Archives of *France*, that have been made, ſince very near the Conqueſt of *England*, between *England* and her Allies on the one Side, and *France* and *Scotland* on the other, with a ſhort Account of their Quarrels, Wars and various Succeſſes. The Author has been ſo very exact, that he not only ſets down the Dates of thoſe Tranſactions, but alſo points at the Shelves, Drawers or Coffers wherein the original Papers were, and, I ſuppoſe, are ſtill kept. I have chiefly compiled my ſecond Volume and the laſt Book of the Firſt from all theſe together, and each of theſe, I believe, every Body will own, after what I have ſaid concerning them, had been alone ſufficient to vouch the Facts for which I cite them; and I aſſert nothing without a Citation, ſo that I dare ſay without Vanity, (for there can

be no Vanity in aſcribing, as I juſtly do, ones good Fortune to the Favour, Induſtry and Ingenuity of others) that no Hiſtory hath yet appeared in the World better vouched, than that which is compriſed in the following Sheets.

Next to thoſe Records which former Authors had not occaſion to meet with, I have built a great many of my Aſſertions upon, and drawn no ſmall Part of the Hiſtory it ſelf from Acts of Parliament, to which they might have had acceſs as well as I, but which, to my great Surprize, they have either intirely neglected as uſeleſs, or but ſuperficially viewed; and becauſe the *Black Acts*, as we commonly call them, by reaſon they are printed in a black Letter, are more hiſtorical, and have obtained more Credit amongſt a certain Sett of People, than thoſe contained in the later Editions, I have thought fit to have them always in my Eye.

A fourth Objection made againſt the firſt Volume by our Neighbours, as I am informed, but which can by no means affect the Second, is, that in the Life of King *Achaius* and elſewhere, I ſeem to aſſert, that a perpetual and indiſſoluble League between the two Nations of *Scotland* and *France*, was concluded by that Prince and *Charlemaign*. Indeed I do ſo, but I acknowledge that I now think my ſelf in the wrong, that is, I do not believe that the League was expreſly declared to be indiſſoluble and perpetual, till the Reigns of *Charles* IV. of *France* and *Robert* I. *Scotland*; but that a fair Correſpondence, Amity or League was entred into by *Charlemaign* and *Achaius*, and that that League was often renewed by their reſpective Succeſſors, tho perhaps in different Terms, and with different Clauſes, Motives and Views, agreeably to the various Circumſtances of Time and the changable Situation of Affairs, I do not yet ſee the leaſt Reaſon to doubt; and I am ſtill fully perſuaded, notwithſtanding all has been ſaid to the contrary, that tho perhaps all the Arguments I have made uſe of, do not amount to a plain Demonſtration, the ancient *Scots* or *Caledonians* were originally the ſame People with the *Britans*, that it is more probable that the *Iriſh* were a Colony deſcended from them, than that they ſhould have come at firſt from *Ireland*; that they formed themſelves, or rather were formed into a State by *Fergus* I. before the Birth of our Saviour; that their Government was Monarchical, that their Sovereigns were Abſolute and Hereditary, in the Senſe which I have expreſſed when I wrote the Lives of the two *Fergus's*, *Kenneth* III. *Malcolm* II. and *Robert* I. and that, ſince the *Highlands* of *Scotland* were certainly inhabited by a fierce unconquerable People in the Days of *Claudius*, *Hadrian*, *Severus*, *Agricola*, &c. to whoſe Yoke they never ſubmitted, it is ridiculous to ſay, that the very ſame People came afterwards to be extirpated, by no body knows (or pretends to know) who, or that they, whom the *Romans* could not overcome, tamely ſubmitted, and yeilded their ancient Habitations to a few unarmed and unpoliſhed *Iriſh*: And yet no leſs muſt be ſaid by thoſe, who will not allow us to have been a People, and in Poſſeſſion of at leaſt the *Highlands* of *Scotland* before the Reign of King *Fergus* II. *anno* 422. Upon the whole, I am not yet ſenſible of any real Error which I have committed worth the taking notice of, much leſs the retracting, if it is not my having deſcended to Particulars, when I ſhould only have given a general Account of the Friendſhip contracted between *Charlemaign* and *Achaius*, and my being too obſequious a Follower of *Scots* Authors in the accidental Circumſtances which they relate concerning the dark Ages and Reigns that preceeded the Reign and Age of *Malcolm Canmore*.

I alſo acknowledge, that in my Firſt Volume I have made ſome long Digreſſions concerning the holy War and Decay of the *Roman* Empire, which, tho my Subject naturally led me to diſcourſe of them, I might have ſhortned; nay, I often inſiſted too much upon the Affairs of *England*, even when thoſe of *Scotland* had not an immediate Connection with them: But I have done quite otherwiſe in the Second Volume, having ſcarcely ever digreſſed from the Deſign of my Book, and yet I have given the Reader, I think, a very diſtinct and clear Idea of almoſt all the Affairs of Europe in each Period of Time: For he ought to know, that *Scotland* had ſeldom or never a War with *England*, but *England* and her Allies were alſo ingaged in a War with *France*, and I thought it highly reaſonable, or rather abſolutely neceſſary to inform him, what were the different Intereſts, Quarrels, Confederacies, Forces, Intrigues, Succeſſes and Views of the contending Parties; for he could never otherwiſe learn for what Reaſons, with what Incouragements, and under what Diſadvantages the two Nations ſtruggled ſo hard and ſo obſtinately againſt one another. By following this Method, the neglect of which hath made our Hiſtory of little or no uſe to after-Generations, I have had the wiſhed for Opportunity to illuſtrate the Glories of *England*, and to ſhew that *Scotland*, as inconſiderable as She now is, has often held the Ballance of the Power of *Europe* in Her Hands, upon which Account She was careſſed and courted, not only by the Kings of *France* Her inſeparable Allies, but alſo by all the other Potentates in Chriſtendom.

Another Objection, and a pitiful one it is, yet ſuch as I have often met with in Converſation, is, that I have injured a certain Family of the Sirname of *Fraſer*, which nevertheleſs I made very honourable mention of, by aſſerting that the ancient *Fraſers* of *Cowie*, one of whom had the Honour to marry a Siſter of King *Robert Bruce*, and to obtain from that Prince the Barony of *Dores* in lieu of a Portion with her, were ſtill repreſented by the preſent Lord *Salton*, as being the lineal Heir and Succeſſor of Sir *Alexander Fraſer* of *Philorth*,

who

who was ſerved and *retoured* Heir (I muſt make uſe of *Scots* Phraſes and Expreſſions when I write upon ſuch a Subject as this,) to his Grand-father Sir *Alexander Fraſer* of *Cowie*. I did ſay ſo, and I repeat it again as and unqueſtionable Truth; for I did ſee the original *Retour*, which is not vitiated in the leaſt, if it be not in the Date, which is not ſufficiently perceptible, ſo that inſtead of placing that *Retour* or *Service*, as I have done pag. 557. Vol. I. on the 13 of *September* 1361, I am now ſatisfied that I ſhould rather have ſaid 1461: For I am aſſured by another Evidence, that the *Fraſers* of *Dores* did not come off the Family of *Cowie* till about the Year 1411 (the Writ is not juſt now in my Hands, ſo that I may miſtake in a Year or two) when the firſt of them obtained a Part of the Barony of *Dores*, to be holden of his Father Sir *Alexander Fraſer* of *Cowie* and *Dores*, and of his Father's Lady *Eliſabeth* de *Hamilton*, or the longeſt liver of the two; and yet I find that *Alexander Fraſer* of *Dores* was one of thoſe who witneſſed the abovementioned *Retour*, and being upon the *Inqueſt*, depoſed, what he certainly knew to be true, that Sir *Alexander Fraſer* of *Philorth* was the neareſt lawful Heir of Sir *Alexander Fraſer* of *Cowie*. Beſides, I find by another original Record dated at *Perth* the 10th of *October* 1413, that *William Fraſer* Lord of *Philorth* did ſell and give away *all his Lands of the Baronies of* Cowie *and* Dores to *William* de *Hay* Lord of *Errol*: So that nothing can be more plain, than that the *Fraſers* of *Philorth* are not only the lawful Heirs and *Repreſentatives* of the Family of *Cowie*, but alſo, that one of them was Poſſeſſor, at leaſt *Superior* of the Barony of *Dores* before the Year 1413. The Intereſt of my Reputation has made me to dwell ſo long upon this inconſiderable Debate, ſo far beneath the Dignity of my Subject, and in which the Generality of my Readers are *ſo little concerned*. I beg pardon of them for it, and Leave to add further, that I lay under no manner of Obligation to my Lord *Salton*, if it is not that he is a Subſcriber for my Book, as hundreds of others are, and that his Lordſhip has promiſed to depoſitate both thoſe Records in the publick Regiſter, that all concerned may have acceſs to them. If his Competitor will alſo be pleaſed to put his Evidences in the ſame Repoſitory, I ſhall then endeavour to give further Satisfaction to both, tho not in a Work ſo grave and momentuous as the preſent.

And now ſince I have chanced to talk of private Families, I muſt add, that I fear a great many will find fault with me, becauſe I have not publiſhed the Lives of their brave and glorious Anceſtors. I have written them, and have them by me ready for the Preſs, but *by reaſon of the great* Bulk to which the main Hiſtory of the Nation and Lives of our Kings have ſwelled, I *have no room to* inſert them: Yet I may boldly aſſure moſt, if not all the ancient Nobility and *Gentry* of this Nation, that upon turning over the Leaves of this Volume, they will have the *pleaſure to ſee* more of the Names, and to be acquainted with more of the Actions and Employments, *both Civil and Military*, of their reſpective Progenitors, than ever they heard of before, or could poſſibly learn from any Book or Writing but thoſe which I have peruſed and cited; nay, the *Engliſh* Readers, for whoſe Entertainment, Satisfaction and Curioſity I have always had a juſt Regard, will ſee, as well as the *Scots*, large Liſts of their Worthies. However, to make amends to my own Countrymen, for my omitting to publiſh, upon this Occaſion, the Lives of their private Relations, it may not be amiſs to tell them, that I deſign a Third Volume for that Purpoſe, but ſhorter and leſs chargeable to them than the former two, and that in it they are not to expect any Part of the general Hiſtory of *Scotland*, for which, to ſay the Truth, I am not ſufficiently provided with Memoirs or Records, nor the Life of any Sovereign but that of King *James* V. with which I intended to put a cloſe to this Volume, but could not for the Reaſon abovementioned: And a great pity it is, that that Life and Reign, perhaps *the* moſt Glorious of any in this Volume, ſhould ly longer in the Dark, now thoſe of his Predeceſſors are ſet in ſo clear a Light. I beg pardon for ſo bold an Expreſſion, and in appearance ſo derogatory to former Authors, but I have already accounted for my Preſumption, and *acknowledged*, that the innumerable Diſcoveries which I have made are not owing to my ſelf, *but to the* Records I have had the good Fortoune to meet with.

As for the Words and Stile, which are properly *mine*, (for *I have copied* after no Body) I am abundantly ſatisfied that I have been out-done in both by many, eſpecially the incomparable *Buchanan*, whoſe excellent Latin has given and ever will give Vogue and Reputation to his Hiſtory, even among thoſe who look upon it as a Romance, or rather as one continued defamatory Libel. I flatter my ſelf however, that I have written intelligibly, and have endeavoured to avoid in the ſecond Volume, the Faults that were quarrelled in the former. The Stile in general is not ſo florid, as ſome Criticks, my very good Friends, have thought that of the firſt Volume; the Words are more naturally placed, the Phraſes are ſhorter, the Parentheſes both ſhorter and fewer; and, tho in a *Scots* Hiſtory, there is an abſolute Neceſſity of making uſe of ſome *Scots* Expreſſions, particularly the received Terms of Law, yet I have done all that I poſſibly could, to avoid both *Gallicisms* and *Scoticiſms*, tho it is certain, that theſe cannot be altogether avoided by a *Scots-Man*, who received the moſt part of his Education in *France*. Beſides, I have this Apology to make for my Language and Stile, that I had moſt of my Materials from Records, that is, from barbarous *Latin*, obſolete *French*, and almoſt unintelligible *Engliſh*; and whoever will attempt to poliſh ſuch Materials as theſe into a modiſh Form, muſt needs have many

Difficulties to ſtruggle with. I ſpeak nothing to the Errors of the Preſs, from which I have always been abſent ſince my Sheets were ſent to it; they are either too groſs to be imputed to the Author, or too ſmall to be inſiſted upon, and withal ſo few, that I am ſurprized to find the Work ſo correctly done. But this is a Favour which I owe to the learned, judicious and indefatigable Mr. *Ruddiman*, who not only overſaw the Preſs, but alſo gave himſelf the Trouble to reviſe, and in ſome very material Places to correct the Copy.

Laſtly, I muſt obſerve, that tho it has been always my Choice to illuſtrate the Worth of both the *Scots* and *Engliſh*, yet I have frequently been obliged to relate the publick, and to lay open the hitherto hidden Crimes of a great many of them; inſomuch that it will be Matter of Admiration to the Readers to find, that ſome Men of both Nations, for whoſe great Names they formerly entertained a profound Veneration, are ranked by me among the greateſt of Traitors. But I hope, that the Poſterity of thoſe Men will pardon me the more eaſily, becauſe they will alſo find, that I do not ſpare the Royal Family it ſelf, when Truth and Evidence lead me to diſcover the Guilt of thoſe who were of it. If after all, the freedom which I have taken with the Dead, be diſagreeable or grating to any alive, my humble Advice to them is, that they take care to keep at a Diſtance from thoſe Rocks of Diſgrace and Infamy, upon which they ſee that their Equals in Birth and Power did ſplit.

A LIST

Of thoſe SUBSCRIBERS *for this and the Firſt Volume of this Work, whoſe* NAMES *have been tranſmitted to us.*

A

His Grace John Duke of ATHOLE.
The Right Honourable William Marquis of ANNANDALE.
Mr. Alexander Abercromby of Tillybody, Advocate.
Captain Alexander Abercromby of Glaſſoch.
Alexander Abercromby of Skeith.
Alexander Abercromby Brother-German to the Lord Glasford.
Alexander Abercromby of Bruntſtein.
Francis Abercromby Chirurgeon at *London*.
Sir James Abercromby of Birkenbog Baronet.
Sir James Abercromby Colonel, and Deputy-Governor of Dunkirk.
John Abercromby Merchant in Edinburgh.
Stewart Abercromby Picture-Drawer.
Mr. William Abercromby Miniſter of Mayboll.
James Alan of Saughtnell.
Patrick Alexander of Corſclays.
Mr. William Alexander, Writer in Edinburgh.
Mr. Alexander Aliſon, Writer to the Signet.
Mr. David Anderſon, Writer in Edinburgh.
Mr. James Anderſon, Writer to the Signet.
John Anderſon of London Merchant.
Sir John Anſtruther Baronet.
Alexander Arbuthnot of Findaurie.
William Arthur M. D.
Roger Aytoun younger of Inchdarnie.

B

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The Right Honourable John Lord BOYLE.
The Honourable James Maſter of BALMERINO and Lord COUPER, one of the Senators of the College of Juſtice.
Walter Bagenall Eſquire.
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Alexander Bailly of Calins.
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Mr. Alexander Bailly, Keeper of the publick Regiſter.
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John Balfour of Broadmeadows.
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John Blair of Glaſcrona.
John Blair Merchant in Edinburgh.
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William Bowden of London Merchant.
Alexander Bower of Kincaldrum.
James Bower of Methy.
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Sir George Brown of Colſtoun Baronet.
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David Bruce of Clackmanan.
Captain Henry Bruce Brother to the Laird of Clackmanan.
Brigadeer James Bruce.
Captain John Bruce Brother to the Laird of Clackmanan.
Mr. George Buchan Clerk to the Lords of Seſſion, Commiſſioners of Parliament to Teinds.
Major General Thomas Buchan.
Archibald Buchanan of Drumakill.
Robert Byrely Eſquire.

C

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The Right Honourable George Earl of CROMARTY.
The Right Honourable Lord CLERMONT.

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Sir James Campbel of Auchinbreck Baronet.
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Mr. John Campbel Goldſmith in London.
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Donald Cameron of Airds
Sir Ewen Cameron of Lochyeal.
John Cameron younger of Lochyeal.
William Carliſle Merchant in Glaſgow.
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Sir James Carmichael of Bonnington.
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Mr. John Carnegy of Boyſack, Advocate.
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Patrick Carnegy younger of Lowr.
Robert Carnegy of Balendarg.
George Carruthers of Holdmains.
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Mr. John Carruthers of Denby.
Robert Carruthers of Ramerskails.
William Carruthers Apothecary Chirurgeon.
William Carruthers younger of Warmanby.
Andrew Caſſie of Kirkhouſe.
John Cathcart younger of Carletoun.
William Cellar, Writer in Edinburgh.
John Chalmers Merchant in Glaſgow.
Roderick Chalmers Painter.
Charles Cholmondly Eſquire.
The Incorporation of Chirurgeons in Edinburgh.
The Incorporation of Chirurgeons in Glaſgow.
Colonel William Clephan.
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Archibald Cockburn late Bailly of Edinburgh.
Mr. James Cockburn Secretary of War.
William Cockburn M. D.
Mariſhal College of Aberdeen.
College and Univerſity of Edinburgh.
College and Univerſity of Glaſgow.
Royal College of Phyſitians Edinburgh.
James Colquhoun Merchant in Glaſgow.
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Adam Craick of Arbigland.
Charles Craigingelt Eſquire.
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Mr. David Crawfurd Secretary to her Grace the Dutches of Hamilton.
Mr. George Crawfurd Brother to the Laird of Carsburn.
Henry Crawfurd Merchant in Carſail.
Mr. Matthew Crawfurd Miniſter of the Goſpel.
Patrick Creighton Chirurgeon Apothecary in Dundee.
Thomas Creighton of Ruthven.
John Chryſtie, Writer in Edinburgh.
James Cumin Merchant in Edinburgh.
Mr. Patrick Cumin Miniſter at Ormiſtoun.
Sir James Cunningham of Milncraig.
John Cunningham Son to the Laird of Enterkin.
Major Cunningham of Aiket.
Sir William Cunningham of Cunninghamhead.

D

His Grace Archibald Duke of DOUGLAS.
The Right Honourable John Earl of DUNDONALD.
The Right Honourable William Viſcount of STRATHALLAN.
The Right Honourable Lord DESKFORD.
The Honourable Sir David Dalrymple, Lord ADVOCATE.
Sir Alexander Dalmahoy of that Ilk.
Charles Dalrymple Merchant in Glaſgow.
James Dalrymple of Dunragget.
Sir Robert Dalrymple of Caſtletoun.
Captain James Dalzel.
David Dickſon M. D.
John Doig Provoſt of Brechin.
John Don, Sheriff-Clerk of Stirling.
John Donaldſon Hat-maker in Edinburgh.
James Douglas younger of Dornock.
Douglas of Strathendry.
Robert Douglas of Crookſton.
Major Walter Douglas of Bads.
William Douglas of Fingland.
William Douglas of Scrawling.
Mr. David Drummond, Advocate.
George Drummond of Ballicloan.
James Drummond younger of Blair-Drummond.
John Drummond M. D.
Ludovick Drummond of Weſter-fodels.
Mr. William Drummond Warden of the Mint.
Captain William Drummond.
Alexander Dunbar Taylor in the Canongate.
John Dunbar of Burgie, Advocate.
Sir Robert Dunbar of Northfield.
Alexander Duncan of Lundy.
Mr. Alexander Duncan Miniſter of the Goſpel.
James Duncanſon of Garshak.
Mr. James Dundas younger of Arniſton, Advocate.
Ralph Dundas younger of Mainer.
William Dundas Merchant in Edinburgh.
Mr. William Dunlap Son to the Laird of Houſe-hill, Writer.

E

THe Right Honourable Charles Earl of ERROL, High Conſtable of Scotland.

The

The Right Honourable John Lord ELPHINSTON.
The Honourable Mr. James Erskine of GRANGE, Brother to the Earl of Marr, and one of the Senators of the College of Juſtice.
The Honourable Mr. David Erskine of DUN, one of the Senators of the College of Juſtice.
The Honourable Sir Alexander Erskine, Lord LYON King at Arms.
The Honourable Mr. Charles Erskine, Brother to the Earl of Buchan, Advocate.
The Honourable Captain William Erskine, Brother to the Earl of Buchan.
Colonel John Erskine of Carnock.
William Eccles M. D.
Alexander Edgar Provoſt of Haddingtoun.
James Edinton, Writer.
Sir James Elphinſton of Logy, one of the Commiſſars of Edinburgh.
John Edmondſton younger of Broik.
Patrick Edmondſton of Newton-Edmondſton.
Charles Eversfield Eſquire.
Mr. John Ewing, Writer to the Signet.

F

THe Right Honourable James Earl of FINLATER.
The Right Honourable Archibald Earl of FORFAR.
Alexander Farquharſon, Writer.
Mr. Alexander Fergusson of Iſle, Advocate.
Alexander Fergusson of Craigdarnoch.
Mr. James Fergusson of Pitfour, Advocate.
Captain John Ferrar.
George Fleeming M. D.
Patrick Fleeming of Barochan.
Sir Samuel Forbes of Foveran.
Thomas Forreſt Merchant in Edinburgh.
David Fotheringham of London Merchant.
The Honourable Sir James Fowlis of COLLINGTON, ſometime one of the Senators of the College of Juſtice.
Mr. Harry Fowlis Son to the Lord Collington, Advocate.
Mr. William Fowlis of Woodhall, Advocate.
Andrew Fraſer Merchant in Edinburgh.
Mr. James Fraſer of Achnagairn.
John Fraſer of Kirktoun.
Mr. David Freebairn Miniſter of the Goſpel.
James Freebairn Collector of the Exciſe.
David French of Frenchland.
John Fullerton of that Ilk.
John Fullerton of Kinnaber.
Mr. John Fullerton of Greenhall, Parſon of Paiſly.

G

HIs Grace George Duke of GORDON, for four.
The Right Honourable William Earl of GLENCAIRN.
The Right Honourable John Lord GRAY, for three.
The Honourable John Maſter of GRAY.
Alexander Garden of Troup.
Alexander Garden younger of Troup, Advocate.
David Garden of Laton.
James Galbraith of Balgaire.
Captain David George Merchant in Aberdeen.
Alexander Gibſon of Dury, one of the Clerks of the Seſſion.
Sir Thomas Gibſon.
The Honourable Major General Gordon of Achintoul.
Alexander Gordon Merchant in Edinburgh.
Captain Charles Gordon of Abergeldy.
George Gordon of Gliſtirim.
Mr. George Gordon of Sands, Advocate.
George Gordon Son to the Laird of Edinglaſſie.
James Gordon of Alan.
James Gordon of Trocquhend.
James Gordon, Son to *Gordon of* Achintoul.
Robert Gordon of Chinie.
Robert Gordon of Cluny.
Thomas Gordon of Earlſton.
Sir William Gordon of Aftonbar.
William Govan younger of Drumquhaſle.
David Graham of Orchil, Collector of the Cuſtoms at Newport-Glaſgow.
Mr. James Graham Junior, Advocate.
James Graham younger of Fintry.
James Graham younger of Braco.
James Graham Merchant in Edinburgh.
John Graham younger of Balgowan.
John Graham younger of Killern.
Robert Graham of Gartmure.
Thomas Graham of Balgowan.
William Graham of Orchil.
The Honourable Sir Francis Grant of CULLEN, one of the Senators of the College of Juſtice.
James Grant of Pluſcardy.
Colonel William Grant.
Andrew Gray, Captain in the Honourable Brigadeer Wood his Regiment.
Robert Gray M. D.
William Gray of Inverichty.
Sir Robert Grierſon of Lag.
William Grier of Lag.
Richard Gueſton Eſquire.
Mr. David Guthry Student.
Mr. James Guthry Miniſter of the Goſpel.

H

HIs Grace James Duke of HAMILTON and BRANDON.
Her Grace Anne Dutcheſs of HAMILTON and CHATELRAULT.
Her Grace Eliſabeth Dutcheſs of HAMILTON and BRANDON.
The Right Honourable Alexander Marquis of HUNTLEY.
The Right Honourable Henriette Marchioneſs of HUNTLEY.
The Right Honourable Alexander Earl of HOME.
The Right Honourable James Earl of HINDFORD.
The Right Honourable William Lord HADDO.

The Right Honourable Lord HARLEY.
The Right Honourable Lady Jean Home, Dowager of POLWARTH.
William Hairſtanes of Craigs.
John Haldane of Lenrick.
Mr. Patrick Haldane, Advocate.
James Haliburton of Pitcur.
David Hall Merchant in Edinburgh.
The Honourable Baſile Hamilton, Son to the Right Honourable Lord Baſile Hamilton.
Alexander Hamilton of Dechmont, Writer to the Signet.
Sir James Hamilton of Roſehall Baronet.
James Hamilton of Dalyell.
John Hamilton younger of Pancaitland, Advocate.
Mr. John Hamilton, Writer to the Signet.
William Hamilton of Wiſhaw.
Mr. William Hamilton, Council at Law.
John Hay of Pitfour.
Peter Hay Son to the late Provoſt of Perth.
Robert Hay of Nachtan.
The Honourable Mr. William Hay of Drumelzeour, Son to the late Earl of Tweddale.
James Henderſon of Laveroc-Law.
Patrick Hepburn of Smyton.
Robert Hepburn of Keith.
Mr. Francis Home Brother to the Laird of Wedderburn.
George Home younger of Wedderburn.
George Home of Argaty.
The Honourable Mr. James Home of Alton, Son to the late Earl of Home.
Sir Robert Home of Rentoun.
John Hopepringle of Terſons.
Alexander Horſeburgh of that Ilk.
Sir John Houſton of that Ilk.
Roderick Hoſſack M. D.
Mr. Patrick Houſton, Advocate.
James Hunter Chirurgeon Apothecary at London.
James Hutcheſon, Writer to the Signet.

I

The Right Honourable James Lord JOHNSTON.
Mr. William Jameſon, Profeſſor of Hiſtory at Glaſgow.
Sir John Jardin of Applegirth.
Sir George Innes of Coxton.
George Innes of Dunkinty.
Colonel James Johnſton in the Scots Guards of Foot.
Robert Johnſton of Wamphray.
Thomas Johnſon Eſquire.
Sir William Johnſton of
William Johnſton of Bearholm.
William Johnſton Poſt-Maſter of Haddington.
John Irvin of Kincauſly.

K

The Right Honourable William Earl of KILMARNOCK.
The Right Honourable Alexander Earl of KINCARDIN.
The Right Honourable John Earl of KINFORE.
The Right Honourable William Viſcount of KILSYTH.
The Right Honourable James Viſcount of KINGSTON.
The Honourable Colonel William Ker.
Mr. William Ker of Kinmouth.
Mr. William Ker, Writer in Edinburgh.
The Honourable Mr. James Keith, Son to the late Earl Mariſhal.
Alexander Keith, Writer.
Alexander Keith, Writer.
Colonel Robert Keith.
Thomas Kincaid Son to the deceaſt Thomas Kincaid of Auchinreoch.

L

The Right Honourable James Earl of LINLITHGOW.
The Right Honourable Hugh Earl of LOWDON.
Archibald Lamond of that Ilk.
Silveſter Lamby M. D.
William Law Jeweller.
The Honourable Sir John Lawder of FOUNTAINHALL, one of the Senators of the College of Juſtice.
John Lawder younger of Fountainhall.
William Lermont M. D.
Mr. Charles Leſly, Chancellor to the Cathedral of Connor.
George Leſly of Balquhin, Son to the deceaſt Patrick Count Leſly.
Mr. George Leſly, Son to the deceaſt Mr. James Leſly, Advocate.
Mr. James Leſly, late Sheriff-Clerk of Fife.
Mr. Alexander Lindſay Miniſter of the Goſpel.
David Lindſay of Edzell.
James Lindſay of Dowhill.
John Lindſay of Pitſcandly.
Charles Linton Eſquire.
Cornet William Little of Stewartoun.
George Loch of Dryla.
John Loch Merchant in Edinburgh.
George Lockhart of Carnwath.
James Lowis, Writer.
John Lowis younger of Marchiſton.
Robert Lowis M. D.
Mr. James Lyon Miniſter of the Goſpel.
The Honourable Mr. Patrick Lyon of Ouchterhouſe, Son to the Earl of Strathmore.
Mr. Patrick Lyon Miniſter at Kinghorn.
William Lyon younger of Ogle.
Mr. William Lyon, Advocate.

M

His Grace James Duke of MONTROSE.
The Right Honourable George Earl MARSHAL of Scotland.
The Right Honourable John Earl of MARR
The Right Honourable William Earl of MARCH.
The Right Honourable Lord James MURRAY, Brother to his Grace the Duke of Athole.

Mr. William Main Merchant in Edinburgh.
The Honourable Mr. Harry Maule of Kelly, Brother to the Earl of Panmure, for two.
Mr. George Maule, Factor to the Earl of Panmure.
Mr. Harry Maule Lyon-Depute.
Alexander Macdonel of Glengary.
Macdonald, Captain of Clan-Ranald.
Sir Donald Macdonald of Slait, for ſix.
Macdonald of Keppoch.
John Macdowal Gent.
Alexander Mackenzie of Fraſerdale.
George Mackenzie M. D.
Mr. George Mackenzie of Inchcouter.
Mr. John Mackenzie, Clerk to the Seſſion.
Mr. John Mackenzie of Delvin, one of the principal Clerks of the Seſſion.
Sir Kenneth Mackenzie of Scatwell.
Kenneth Mackenzie Bailly in Elgin.
Mr. William Mackenzie younger of Balmaduthy.
Robert *Macklellan of Barſcob.*
Robert Maclellan of Barclay.
Æneas Macleod of Catboll.
David Maculloch, Writer in Edinburgh.
Alexander Mackye of Palgowan.
Gilbert Mackye, one of the Clerks of the Bills.
James Malcolm of Grange.
James Marjoribanks Merchant in Edinburgh.
Mr. James Martin of Grange.
Charles Maſterton, Writer to the Signet.
John Maſterton Merchant *in Edinburgh.*
Sir Alexander Maxwel of Monreith, *Advocate.*
Charles Maxwel of Cowhill.
Francis Maxwel of Finwald.
John Maxwel of Middlebie.
John Maxwel of Steelſton.
William Maxwel of Kirkonell.
Alexander Menzies of Woodend.
Mr. Alexander Menzies of Coulter-raws, Advocate.
Alexander Menzies of Garth.
Archibald Menzies of Glenlyon.
Menzies of Pitfodels.
John Meinzies M. D.
William Mercer, Writer.
Colonel John Middleton.
Daniel *Midwinter* Bookſeller in London.
Mr. Robert *Miln, Writer* to the Signet.
William Mitchel *Merchant in Edinburgh.*
Sir Thomas Moncreif of that Ilk.
James Montgomery of Lainſhaw.
Captain James Moodie of Melſetter.
John Moor of Rowallan.
Major Monro of Auchenbouie.
William Moray of Abercairny.
David Moubray in Primroſe.
Captain Moubray, late Deacon Conveener of the Trades of Edinburgh.
Anthony Murray of Dollory.
Sir Charles Murray of Dreghorn.
Gideon Murray Gent.
John Murray of Philiphaugh.
John Murray of Touch-Adam.
John Murray of Strowan-Murray.
Sir John Murray of Balmanno.
Patrick Murray of Deuchar.
Patrick Murray, Writer to the Signet.
William Murray of Spittalhaugh.

N

THe Right Honourable David Earl of NORTHESK.
The Right Honourable William Earl of NITHSDALE.
Alexander Nairn of Drumkilbo.
John Nairn of Greenyards.
William Nairn Bailly at Dalkeith.
Doctor Thomas Nicolſon.
Lieutenant Colonel William Nicolſon.
Daniel Norton of London Merchant.

O

THe Right Honourable James Lord OGILVIE.
The Right Honourable Patrick Lord OLIPHANT.
Sir David Ogilvie of Barras.
James Ogilvie Bailly of Cowper.
Sir John Ogilvie of Innerwharity.
Mr. John Ogilvie of Balbegno, Advocate.
Patrick Ogilvie of Balfour.
Ogilvie of Pitmuis.
Charles Oliphant M. D.
Laurence Oliphant younger of Gask.
Patrick Oliphant of Bachletoun.
Alexander *Ouchterlony of London Merchant.*
John Ouchterlony of Guynd.

P

THe Right Honourable James Earl of PANMURE, for two.
The Right Honourable David Earl of PORTMORE.
The Right Honourable Archibald Earl of PRIMROSE.
Sir Hugh Paterſon of Bannockburn.
James Paterſon of Kirktoun, Advocate.
John Paterſon Eſquire.
Mr. Robert Paterſon.
Mr. William Paterſon, Brother to the Laird of Bannockburn.
John Paton of Grandhame.
Mr. Stephen Paton Miniſter of Newlands.
Alexander Pennycook M. D.
James Pearſon of Balmadies.
David Pitcairn of Forthar.
John Pittillo of Balhouſſy.
Sir Robert Pollock of that Ilk.
Robert Porteous of Craiglockhart.
Porterfield of that Ilk.
John Preſton of Whitehill.
James Pringle of Torwoodlie.

R

ANdrew Riddel of Haning.
Walter Riddel of Glen-Riddel.
John Riddoch Merchant in Edinburgh.
Alexander Robertſon of Strowan.
Alexander Robertſon of Faskilly.

Alexander Robertſon Merchant in Perth.
George Robertſon of Craigarnhall.
James Robertſon M. D.
Mungo Renny Merchant in Edinburgh.
Alexander Ruſſel M. D.
Francis Ruſſel Apothecary in Edinburgh.
Robert Rutherfurd of Fairnilie.

S

THe Right Honourable John Earl of STRATHMORE.
The Right Honourable James Earl of SOUTHESK.
The Right Honourable Earl of STAIR.
The Right Honourable William Lord SALTON.
The Right Honourable Francis Lord SEMPIL.
Sir James Sinclair of Dunbeath.
James Sinclair, Clerk of the Bill Chamber.
James Sinclair Burgeſs in Edinburgh, and Captain of the Train'd-Bands.
Sir John Sinclair of Steinſton.
Sinclair M. D. Preſident of the Royal College of Phyſicians, Edinburgh.
Captain David Scot of Houndelſhope.
Hercules Scot of Brotherton.
Hercules Scot Merchant in Edinburgh.
Colonel James Scot.
Walter Scot of Wall.
Sir William Scot of Thirleſton, Advocate.
Robert Scot of Harden.
The Honourable Captain Hugh Sempil, Brother to the Lord Sempil.
The Honourable Mrs. Jean Sempil, Siſter to the Lord Sempil.
Mr. George Sempil Miniſter of the Goſpel, and Chaplain to the Lord Blantyre.
Mr. William Sempil, Writer in Edinburgh.
The Honourable Sir Alexander Seton of PITMEDDEN, ſometime one of the Senators of the College of Juſtice.
Archibald Seton of Touch.
William Seton Gent.
George Skene Merchant in Edinburgh.
David Smith of Methwen.
James Smith of Cammo.
Thomas Smith Merchant in Edinburgh.
Mr. William Smith, Profeſſor of Philoſophy in the Mariſhal College of Aberdeen.
Colonel George Somervill.
Mr. John Spotiſwood of that Ilk, Advocate.
Alexander Strachan of Torrie, Merchant in Montroſe.
Alexander Strachan Merchant in Aberdeen.
Charles Strachan of Balgays.
George Strachan Bookſeller in London.
Patrick Strachan of Glenkindy.
Mr. Alexander Stevenſon, Advocate.
Kenneth Stevenſon M. D.
Charles Stewart of Ballachin.
George Stewart Bookſeller in Edinburgh.
Mr. Gilbert Stewart Merchant in Edinburgh.
John Stewart of Innernity.
Patrick Stewart, Writer in Edinburgh.
Sir Simeon Stewart of Baronet.
Thomas Stewart of Grantully.
Mr. Walter Stewart, Advocate.
Walter Stewart of London Merchant.
Stewart of Auchluncart.
James Stirling of Keir.
James Stirling Merchant in Glaſgow.
Mr. John Stirling, Principal of the Univerſity of Glaſgow.
Sir Mungo Stirling of Glorit.
William Stirling of Halbertſhire.
Mrs. Helen Swinton, Colonel Charteris his Lady.
Robert Swinton Chirurgeon Apothecary in Edinburgh.
Alexander Sympſon Chirurgeon Apothecary in Edinburgh.
Andrew Sympſon of Pendreich.

T

THe Right Honourable Marquis of TWEDDALE.
The Right Honourable Charles Earl of TRAQUAIR.
Mr. John Taylor, Parſon of Erſkine.
Robert Taylor of Mansfield.
Sir David Threpland of Fingask.
Mr. John Trent, Writer.
Robert Trotter M. D.
Thomas Tulloch, Writer.
William Turing Looking-Glaſs and Cabinet Maker London.
James Turner Bailly of Dumblain.

V

ALexander Veitch of Glen.

W

THe Right Honourable George Earl of WINTON, for two.
The Right Honourable John Earl of WIGTON.
The Right Honourable David Earl of WEEMS.
Mr. James Wauchop, Son to the Laird of Niddry, and Merchant in Edinburgh.
John Walkingſhaw of Barrowfield.
William Walkingſhaw of Scotſtoun.
Mr. Hugh Wallace younger of Ingleſtoun, Advocate.
George Walker, Writer.
John Warren of London Merchant.
James Watſon of Gorntoun.
Watſon of Turrene M. D.
Sir Alexander Wedderburn of Blackneſs.
Captain Daniel Weir.
Mr. William Weir, Advocate.
James Williamſon of Chapeltoun.
Mr. Walter Williamſon of Cardrona.
James Wilſon, Secretary to his Grace the Duke of Gordon.
Mr. John Wilſon Profeſſor of Mathematicks.
George Windram of Aymouth.
John Wright of Kerſy.
John Urquhart of Meldrum.
John Urry A. M. of Chriſts-Church, Oxon.

Y

DAvid Young of Auldbar.
Thomas Young M. D.

THE

THE

Martial Atchievements

OF THE

SCOTS NATION.

Volume Second.

BOOK I.

The Life of David II.

The Ninety Ninth King of SCOTLAND.

WHEN. the glorious King *Robert Bruce* was called by Heaven to the Enjoyment of thoſe Rewards, which we have reaſon to think (*a*) his Piety towards his Country, his unconquerable Conſtancy in Good, his unwearied Patience, heroick Life, and Chriſtian Death obtained; He left all ſerene behind him, but the mourning Hearts of his grateful Subjects. They could not but regret the Loſs of a Prince, by whom that of the whole Nation had not only been retrieved, but its future Happineſs ſecured, one would have thought, againſt all Events whatever. A perpetual Peace was concluded with *England* (*b*), a ſtrict and never to be broken Alliance with *France* (*c*), and an amicable Agreement and Correſpondence with *Norway* (*d*); all States and Potentates in *Europe* had owned the rightful Title of the reigning Line (*e*); the Pope was in a peculiar manner obliged to ſupport it (*f*); King *John Baliol* had again and again renounced his Claim to the Crown (*g*); the Siſter (Queen *Jean*) of the only Prince upon Earth, who could be ſuppoſed either willing or capable to diſturb the youthful Years of the legal Heir (*h*), ſlept in his Bed; and even the *Woe*

A.D. 1329. 1330.

State of *Scotland* after the Death of King *Robert Bruce*.

(*a*) Vid. his Life and Character Vol. I. Book III. (*b*) Martial Atchiev. Vol. I. Pag. 624. (*c*) Ibid. p. 616. (*d*) Ibid. p. 607. (*e*) Ibid. p. 606. (*f*) Ibid p. 638. 626. (*g*) Ibid. p. 495. (*h*) Ibid. p. 625.

denounced *unto the Land* whoſe *King is a Child*, ſeemed in this Caſe to be fruſtrated; Nay, the Nonage of the King of *Scotland*, looked rather like a Bleſſing: *David* II. (for that was his Name) was not yet full eight Years of Age, but he had a Guardian *Thomas Randulph* Earl of *Murray*, whoſe Policy and Wiſdom in Peace were equalled by nothing then known in the Iſland, nor perhaps in the World, but his own Valour in War, and that of his deareſt Friend Sir *James Douglaſs* (*a*). By the wonderful Conduct and indefatigable Application of this great Man, the Kingdom, tho once, contrary to all Faith, Honour and Honeſty invaded, by *Edward* III. King of *England* in Perſon, ſay all *Scots* Authors, by the Earl of *Arundel*, then Warden of the *Engliſh* Marches, ſays Mr. *Tyrrel* (*b*), continued to flouriſh during the two Years of his Adminiſtration in Peace and Plenty, to the inexpreſſible Satisfaction of Friends and Allies, and the no leſs Terror both of foreign and domeſtick Enemies. Perhaps the generality of People, as is but too ordinary in ſuch Conjunctures, being proud of their National Glories, inebriated with Succeſs, enriched with the Spoils of the South, and wantoned with Luxury, proved ungrateful to the Giver: Perhaps they had not yet been ſufficiently chaſtiſed for their former Tranſgreſſions, and had need to learn, that as Victory is inſeparably fixed to no Nation whatſoever, ſo Happineſs is no where durable on the terreſtrial Globe: The Earl of *Murray* died, as *Scots* Authors affirm, by a ſlow Poiſon, which an *Engliſh* Monk, by Orders from the King of *England*, adminiſtred to him in Lieu of a Medicinal Potion; and the good Genius of *Scotland* ſeemed to follow the Fate of her Guardian, and with him to abandon his Charge.

Thomas Randulph Earl of *Murray*, an excellent Guardian.

Scotland treacherouſly invaded by the *Engliſh*.

Earl of *Murray* dies.

The apparent Cauſe of the enſuing Calamities was, what ever did, and ever will, where it is to be found, give Riſe to the like Miſchiefs, a new Competition for the Crown. It is true, that the late Titular and Vaſſal King, *John Baliol*, had not only reſigned his Pretenſions, but had alſo left this World in *Anno* 1314 (*c*): But King *John* had left Iſſue behind him two Sons, *Edward* and *Henry* (*d*). Where the younger was entertained and educated, I cannot tell, but Lord *Edward* the elder continued at the Court of *England* (*e*) till the Death of his Father: Upon which King *Edward* II. wrote to the King of *France* in his Favour, called him his own *Pupil*, and entreated that the Viſcount of *Ambien*, his Proxy, might be allowed to pay Homage and ſwear Fealty for him, and that he might be put in Poſſeſſion of thoſe Lands which his Father had held in *Normandy* of the *French* Crown. But it ſeems that this Requeſt was not granted; for I find (*f*) that the next Year 1315, that Monarch was obliged to part with his *Pupil*, and to ſuffer him to go beyond Seas, no doubt in

Death of King *John Baliol*.

The Lord *Edward Baliol*, his conſtant Dependance on the Kings of *England*.

(*a*) Buchan. Boeth. Joan. Maj. &c. in vit. Dav. II. Holinſhed Hiſt. of Scot. p. 330, 331. (*b*) Vol. 3. p. 258. (*c*) Fœd. Angl. Tom. 3. p. 506. (*d*) Tyrrel Vol. 3. p. 375. (*e*) Ibid. p. 506. (*f*) Ibid. p. 537.

in order to pay his Homage in Perſon; but then he obliged him to find Surety that he ſhould return to *England*, which the Lord *Edward* performed accordingly before the Feaſt of St. *Matthew*: A Proof, I take it, that King *Edward* II. as impolitick as ſome People call him, had the Prudence to make ſure of ſuch an uſeful Tool, as a Competitor for the Crown which his prevailing Enemy then wore muſt needs prove, at leaſt in an After-Game. The friendly Correſpondence which he afterwards continued to keep with him (*a*), is another Evidence of the Depth of his Deſigns. His Son King *Edward* III. proſecuted the ſame Meaſures, as ſoon as he came to the Crown (*b*): And to me 'tis evident, that both theſe Monarchs, when they found themſelves overmatched by the ſuperior Genius and Fortune of King *Robert Bruce*, and ſaw that bare-faced Uſurpation was not like to prevail, thought fit to keep a Reſerve in their own Hands, and doubted not but that as long as the Poſterity of the Lord *Baliol* ſhould exiſt, frequent Opportunities would offer of aſſerting their Title, and by conſequence of reſuming their own. They were not (nor is it poſſible they could have been) miſtaken. A Sovereign, once acknowledged to be ſuch, eſpecially when, as in the preſent Caſe, he believes he has Right, can by no Means be perſwaded that he is in the wrong: And if by Force or Fraud, Rebellion, Conqueſt, or otherwiſe, he chances to abdicate, yet he ever pleads Compulſion; and if he has either Power or Courage, endeavours to be reſtored; If he does not, his Off-ſpring to the laſt Generation do: Nor can they fail of Abettors, where Enemies to their Rivals are to be found. And what Nation or Government, nay what ſingle Man in the World ever did, or does want Enemies, declared or ſecret, injured or injurious? No Succeſs, no Victories, no Wealth or Power, Alliances or Friends, nay, no Oaths, Treaties, or even length of Time, which alone puts a period to all things elſe, can aſcertain Peace to any Country ſo unhappy as to be obnoxious to Competitions of this kind. *England*, by her own fault, has often experienced the Truth of this Maxim; *Scotland* never till now, I mean, ſince the Hereditary Succeſſion of her Kings had been fairly eſtabliſhed. Nor was her own People ſo much to be blamed: Foreign Power more than domeſtick Crimes, and the want of expreſs Laws and Precedents, in which the contending Parties could acquieſce, gave Riſe to the Competition in hand; a Competition of about Fourty Years ſtanding ſince the Death of Queen *Margaret* to the preſent Time, and which had already occaſioned the Nations being firſt ſubjected to a pretended Superior above its King, then conquered again and again, ſix Times at leaſt over-run, by Conſequence the Ruine of Fabricks and Towns, the Deſolation of Poſſeſſions and Lands, the Death of Thouſands

(*a*) Feed. Angl. Tom. 3. p. 62. (*b*) Ibid. p. 296.

of Patriots, the Slaughter of Legions of People; and to ſay all in one Word, a War at once Civil and Foreign, one of the longeſt and moſt fierce that had ever been waged, equally deſtructive to the Victors and vanquiſhed, and as much, if not really more, fatal to the South, as to the North of *Britain*. And now that the like, or rather the ſame Competition is revived, we ſhall ſee and commiſerate the like Malheurs, bloody Battles, long Sieges; Churches and Monaſteries defaced, Cities burnt, Countries depopulated, the whole Kingdom more than once over-run, and twice in a great Meaſure ſubdued, a lawful King firſt baniſhed, then led captive to a foreign Soil, an unjuſt Pretender ſeated upon the Throne, and himſelf by a foreign Intruder, another *Edward*, enſlaved.

Alter erit jam Tiphys, & altera quæ vehat Argo
Delectos heroas: erunt etiam altera bella,
Atque iterum ad Trojam magnus mittetur Achilles.

But then the Golden Age ſhall return as before, and tho' no one Heroe ſhall appear in all reſpects equal, either to King *Robert Bruce*, or to Sir *William Wallace*, yet ſhall we have occaſion to admire as many, perhaps more, ſincere Patriots, than even the foregoing Age had produced; and find in the generality of the Nation a more reſolute Steddineſs, more deliberate Counſels, leſs Envy, greater Concord, fewer Defections, and at leaſt an equally invincible Averſion to (what was by their Enemies deſigned) Dependance on any, but on God, and his Vicegerent, their Native and legal *Scots* Sovereign.

That the Lord *Edward Baliol* had ever been, and was ſtill in the *Engliſh* Intereſt, and at all Times ready to be ſubſervient to King *Edward*'s Deſigns, I have but juſt now ſhewed. There were ſeverals beſides him in the ſame Diſpoſition, ſome of them *Engliſhmen*, during the late Uſurpation, poſſeſt of great Fortunes in *Scotland*, and others *Scotsmen* born, but by Treaſon and Intereſt alienated from their Native Country. The principal among them upon Record (*a*) were the Lord *Henry* Viſcount *Beaumont*, who in Right of his Wife laid Claim to the Earldom of *Buchan*, the young Lord *David Strabolgie* Earl of *Athole*, the Lord *Gilbert Umphraville* Earl of *Angus*, *Henry* Lord *Percy*, who claimed *Galloway*, by what Right I know not, *Thomas* Lord *Wake*, the Lord *Fulk-fitzwarine*, *Ralph* Lord *Stafford*, *Henry* Lord *Ferrers* of *Groby*, *John* Lord *Moubray*, Sir *Alexander Moubray* his Kinſman, the Lord *Richard Talbot*, Sir *Roger Swinnerton*, &c. All, or moſt part of theſe, were by an Article of the Peace of *Northampton* to have been reſtored to their Eſtates in *Scotland*, but with this wiſe and expreſs

The Abettors of *Edward Baliol*'s Pretenſions, who they were.

Pro-

(*a*) Mr. Barnes Hiſt. of King Edward III. p. 58.

Proviſo (*a*), *That they ſhould reſide in that Kingdom, and renounce their Allegiance to the Crown of* England. An excellent and juſt Agreement, by which *Engliſh* Influence was effectually removed, and the Wealth of *Scotland* conſumed at Home. In Purſuance of this Agreement, ſeverals, particularly (*b*) the Lord *Henry de Percy*, tho' an *Engliſhman*, had been re-poſſeſt of their Claims; but others, as the Lord *Beaumont*, by *Engliſh* Authors called Earl of *Buchan*, and *Thomas Wake* Lord of *Lidſdale*, were not; no doubt becauſe of their Non-reſidence in *Scotland*. Yet King *Edward* taking no notice of that Impediment, by his repeated Letters, both to his deareſt Brother (ſo he yet called him) *David* King of *Scotland* (*c*), and to the Earl of *Murray*, (*d*) urged that theſe laſt might alſo be reſtored. Much about the ſame time (*e*) he complained of ſome pretended Encroachments made by the Government of *Scotland*, and the Earl of *March* in particular, againſt the Rights of the Biſhop of *Durham*. What Satisfaction he got I know not; but 'tis obſervable, that the deſigning King *Edward* did not expreſs any Grounds of his Reſentment or Diſpleaſure, till he had, at different Times, received (*f*) full and complete Payment of the Sum of thirty Thouſand Merks due by another Article of the above-mentioned Treaty; and that then, and not till then, his Correſpondence with the Lord *Edward Baliol* began to appear: For he had received the laſt Payment (*g*) in *January* 1331, and had granted his ſafe Conduct to his *beloved and faithful* the Lord *Edward Baliol*, in Order to his coming over to *England*, but about ſix Weeks before, (*h*) *viz.* in *October* 1330. By this we ſee who he really was that brought over that unfortunate Prince, (I ſhall call him ſo, ſince he was of the Blood Royal, and had ſome Reaſon to aſpire to the Crown) to re-act the abject and calamitous Part of his inglorious, but deſervedly commiſerated, Father. *Scots* Authors ſay that one *Laurence Twyn* (*i*), a Gentleman indeed, but a very profligate one, was the Perſon, who being for his enormous Crimes obliged to leave *Scotland*, fled to *Normandy*, and there gave ſuch a flattering Account of the *Scots* Affairs to the youthful Prince, as fir'd him with Ambition and Hope. It may be ſo, but 'tis no leſs probable, that a nobler Agent, the Lord *Beaumont* was ſent, (*Engliſh* Authors ſay, went, as if he had not been commiſſioned) from *England* on the ſame Errand (*k*). He found the Lord *Edward*, not in his Caſtle of *Quimper*, as he expected, but in a Priſon, to which the King of *France* had committed him for protecting, againſt Law and Juſtice, an *Engliſh* Eſquire, who had quarrelled with, and killed a *Frenchman*: But by good Luck for the Lord *Beaumont*, he had the Honour to be related by his Blood to the King of *France*, and therefore prevailed with him to ſet the Lord

AD 1331

Edward Baliol invited over to *Britain* from *France* by whom.

(*a*) Vid. Vol. I. p. 625, Barns p. 58. (*b*) Fœd. Angl. Tom IV. p. 461. (*c*) Ibid. loc. cit. (*d*) Ibid. p. 512. (*e*) Ibid. p. 499. 468. (*f*) Ibid. p. 397, 406, 445, 462. (*g*) Ibid. p. 462. (*h*) Ibid. p. 445. (*i*) Boet. Buchan. loc. cit. (*k*) Tyrrel, Vol. 3. p. 368. Barnes, p. 58.

Edward at Liberty; with whom he afterwards came over to *England*, and aſſerted his Right to the Crown of *Scotland*. King *Edward*'s ſafe Conduct could not but be conſidered as an Earneſt of good Entertainment he was to meet with; yet he came not ſtraight to Court, but lurk'd ſome time, if we may believe the *Engliſh* Writers, who would perſwade us that their King was as yet unacquainted with the Matter, in the Mannor of *Sandal* in *Yorkſhire*. His Retirement was neither long nor tedious; for after ſome Time ſpent in levying Soldiers, he was conducted to Court with a Retinue of about fourty four Knights of *Almaine*, Captains of a few ſelect Bands, who followed him for Hire, or at a Venture to partake of his Fortune. When he was introduced to the King, 'tis own'd that he not only renewed his Father's Claim to the Crown of *Scotland*, but alſo offered to hold it of that of *England* by Homage. He did more, as I ſhall afterwards evince from *Engliſh* Records; for he ſtruck up a ſhameful and ruinous Bargain with that ungenerous Monarch, (I beg Pardon for the Epithet) from whom he could get no Aſſiſtance, till he had firſt obliged himſelf to diſmember what he called his Heritage, and make over the beſt Provinces in *Scotland* to the Kings of *England* for ever; a ſordid and intereſted Piece of Covetouſneſs, to ſay no worſe, in a Prince ranked by his Country-men among the nobleſt and moſt heroick any Age has produc'd. Nor do they ſo much as take Notice of the Infamy of the Thing, or offer to excuſe it; no doubt, becauſe *Scots* Authors, being ignorant of this, as of a great many no leſs remarkable Tranſactions, have paſt it over in Silence.

Comes to *England*.

Makes a ſordid Bargain with K. *Edward* III.

If the renowned King *Edward* III. acted thus ungenerouſly by his Couſin the Lord *Edward Baliol*, after what Manner may he be ſaid to have behaved with Reference to both his Couſin and Brother-in-Law King *David Bruce*? His Panegyriſts (for I cannot call theſe Hiſtorians by whom Hiſtory is ſo notoriouſly falſifyed) tell us (*a*), that the diſhonourable Peace of *Northampton* was made during his Minority; that, to ſpeak properly, it was not Peace, but a Truce of four Years; that (*b*) the Town of *Berwick* belonged to *England*, but was poſſeſt by the King of *Scotland*, and that deſirous to receive the uſual Homage for all *Scotland*, he reſolved to do himſelf Right upon the firſt Occaſion. But that the Peace was *perpetual*, and not *Quadriennial*, Parliamentary, and by Conſequence not revocable upon the Account of Minority, and to be ſhort, in all Reſpects one of the moſt authentick, publick and ſolemn, that has ever been made between two Nations, I have already demonſtrated (*c*) from *Engliſh* Writers, *Engliſh* Records, and the Acts of an *Engliſh* Parliament: And from the like Vouchers, I have, in too many Places to be here cited, evinced, That *Homage* was not *uſually* payed for any Part of *Scotland*; and from

(*a*) Tyrrel, Vol. 3. p. 369. Barnes, p. 58, (*b*) Echard, Book 2, p. 345. (*c*) Mart. Atchiev. Vol. 1. Book 3. p. 623, 624, 625.

from the very ſame, I ſhall by and by ſhew, that the Town of *Ber-* did not belong to *England*; but that it was entirely *Scottiſh*, and wledged to be ſuch even by King *Edward* himſelf. Theſe Authors add (*a*), that the King of *England* was obliged by a Bond of twenty Thouſand Pounds, forfeitable to the Pope, to obſerve this Truce: So ſays even Mr. *Tyrrel* (*b*), who, tho in the *Appendix* to his Hiſtory, he has himſelf printed the Act of Parliament, in which it is called a *Perpetual Peace*, will no longer allow of that Appellation; adding, as does Mr. *Barnes*, That therefore, and becauſe it was not yet expired, King *Edward* would not aſſiſt the Lord *Baliol*, nor ſuffer him to lead any Forces into *Scotland* thro his *Engliſh* Territories; but conniv'd at his engaging ſuch *Engliſh*, and *Scots* Reſidenters in *England*, as were willing to make War with King *David* under the Lord *Baliol*'s Title. A profound Piece of Policy indeed, and ingeniouſly thought on to ſave the no inconſiderable Sum of 20000 Pounds, which he had otherwiſe forfeited to the Pope. He carry'd this Policy beyond all the Bounds of Ingenuity or Honour; for, notwithſtanding he had made his Bargain with the Invader, and under Hand connived at the Invaſion, ſo far as to allow both his *Engliſh* Subjects, and the *Scots* Refugees, to Arm for the Purpoſe; yet he gave out to the World, that he was juſt then about to go over upon an Expedition to *Ireland* (*c*): He wrote ſo much to the ſovereign *Pontiff*, and begg'd that his *Holineſs* would not give Ear to any falſe Suggeſtions againſt him, nor believe that he had done any thing amiſs with reference to *Scotland*: Nay, he iſſued out ſeveral Proclamations (*d*), ſtrictly commanding the late Peace to be inviolably kept, and the Perſons of all ſuch as went about to diſturb it to be ſecured. But his ſecret Will was by his Subjects ſufficiently underſtood, for towards the End of *July* 1332, thoſe *Engliſh* Lords and *Scots* Refugees I mention'd before, at the Head of about 6000 Soldiers (*e*), or but 2500, if we may credit the *Engliſh* (*f*), took Shipping at *Ravenſpar* in *Yorkſhire*, and with a proſperous Gale came before *Kinghorn* in *Fife*, on the laſt Day of *July*. They could not have wiſhed for a fitter Opportunity of effecting the Revolution they intended. King *David* was not as yet full 10 Years old; the two great Generals, *Thomas Randulph* Earl of *Murray*, and Sir *James Douglas*, were both dead; the firſt but lately at *Muſſelburgh*, and the laſt in *Spain*; the Vigour of the Nation was enervated with the late Peace and Plenty which they had enjoyed, and the Minds of People were ſurpriſed with the Suddenneſs of a Storm they had not foreſeen, till but a very ſhort time before it broke out. Nevertheleſs Sir *Alexander Seton*, the eldeſt Son of the Great Lord *Alexander* of the

A. D. 1332. Invades *Scotland*.

Oppos'd by Sir *Alexander Seton*.

(*a*) Tyrrel, Barnes loc. cit. (*b*) Vid. his Vol. 3. p. 250. (*c*) Fœd. Ang. Tom. IV. p. 540. (*d*) Ibid. p. 511, 512, 529, 530. (*e*) Buch. loc. cit. (*f*) Knighton p. 2560. N. 66. cited by Barnes p. 59.

ſame Name, who was Nephew, and had been principal *Secretary* to King *Robert Bruce*, with a very few of the Neighbourhood, made haſte to hinder the Enemy from Landing, but unſucceſsfully; for that brave Youth, and moſt of his Men, were kill'd in the Attempt. So ſays *Buchanan*, *Boece*, *&c.* But the *Engliſh* Writers, deſirous to magnify the indeed amazing Succeſſes of their Auxiliary Forces, have, by their hyperbolick Strain, made them incredible. According to them (*a*), not only Sir *Alexander Seton*, but *Duncan Mackduff* Earl of *Fife*, and *Robert Bruce* Earl of *Carrick*, a Natural Son (*b*) of *Edward* late King of *Ireland*, at the Head of no leſs than 10000 Men, march'd to the Shore to oppoſe that little Army of Adventurers, who, in all did not amount to above the Number of 3000: Yet theſe Few, by the Aſſiſtance, and under the Protection of the *Engliſh* Archers, who ſhot inceſſantly from their Ships, landed in ſpight of the *Scottiſh* Army; nay kill'd 900 of them upon the Spot. Mr. *Echard* tells the Story otherwiſe, from what Vouchers I have not enquired; for, ſays he, the Earl of *Fife*, at his Arrival, found the Lord *Baliol* and his brave Adventurers actually on Shore, and theſe laſt having, to prevent all Hopes of Flight, ſent back their Veſſels, and being therefore reduced to a Neceſſity of fighting valiantly, or dying cowardly, encountered their Oppoſers with ſuch Vigour and Magnanimity, that they gave them a ſignal Defeat, and forc'd them to fly diſhonourably, crying out, *That the Enemy was come!* This firſt Victory was follow'd by a Second gained over the ſame Earl of *Fife* and the the like Number of 10000 Men; a Third at *Gladſmore*, over an Army of 40000; and a Fourth at *Duplin*, over 10000, as before: Four bloody Battels all fought in a few Days time, in which 60000 *Scots* were ſlain by but 2500 *Engliſh!* Mr. *Barnes* and Mr. *Tyrrel* are a little more modeſt in their Way of relating theſe Tranſactions; and their differing Accounts ſhew us how little we are to depend upon them. Inſtead of Four great Battels, they mention but one, and two previous Engagements, whereof the Firſt was with the Earl of *Fife* and Sir *Alexander Seton*. After the Fall of theſe laſt, the Lord *Baliol* march'd directly to the Abbey and Town of *Dumfermling*, where he found great Store of Arms and Ammunition, particularly 500 great Staves of fine Oak with long Pikes of Iron and Steel. Soon after, the Numbers of his Men being, by Deſerters from the *Brucian* Intereſt, encreas'd to 4000, ſay *Engliſh* Authors; *Buchanan*, with more Probability, ſays 10000 and upwards, came on the 13th of *Auguſt*, near to the River of *Ern*; on the other Side of which, 40, or rather 30000 *Scots*, commanded by *Duncan de Mar* Earl of *Mar*, lately made Guardian of the North, lay encamped

Prevails mightily.

(*a*) Tyrrel Vol. 3. p. 372, 373. Barnes p. 59, 60, 61. Echard p. 345, 346. (*b*) Crawfurd's Notes upon Buchanan. p. 61.

camped at a Place called *Duplin*, famous to this Day, by reaſon of the unhappy Conflict that enſued; for the *Scots* deſpiſed the inconſiderable Numbers of their deſperate Foes, a fatal Error in that Age; firſt to them, and ſome Years afterwards to their *Allies* the *French*; they kept no Watch, Order nor Diſcipline, but ſlept ſecure and defenceleſs, or idled away the Night in Gaming and Drinking. There were alſo among them who favoured the Lord *Baliol*, and who, to effect a Change in the Government, and by Conſequence in their own Fortunes, wanted to be defeated. *Andrew Murray* of *Tullibardin* is, by *Buchanan* and others, ſaid to have been one of thoſe: He gave private Intelligence to the Invaders of what he thought they had beſt attempt, and by cauſing a Stake to be fixed in the moſt fordable Place of the River, pointed out to the Enemy the Way that led to the Ruin of his King and Country. Upon Advice of this, the Lord *Edward* having encouraged his Officers and Soldiers to their Duty, and ordered every one of them, for a Mark of Diſtinction, to tye a Piece of white Linen about his Arm, he commanded them to march under the Favour of Night and Darkneſs. Sir *Edward Moubray*, who was beſt acquainted with the Country, led the Way, and chiefly by his Direction theſe reſolute Few, in great Silence and good Order, got ſafe over the River to the *Scottiſh* Camp; only Sir *Roger Swinnerton* and ſome few Foreigners, particularly the 44 *German* Captains I mentioned above, ſtaid behind, in order to intercept ſuch of the *Scots*, as to ſave themſelves ſhould offer to fly or retreat that Way. For it was not to be doubted, but that glorious Succeſs would attend the well laid and almoſt infallible Stratagem: yet it had almoſt miſcarried. *Thomas Randulph* Earl of *Murray*, the worthy Son of the late incomparable *Guardian*, *Robert* the Earl of *Carrick*, *Mordach* Earl of *Menteith*, and *Alexander Fraſer*, were awake. Theſe gallant Gentlemen did Wonders at the Head of ſuch of their Followers as they could draw together; but to no Purpoſe. There aroſe in an Inſtant ſuch a Clamour, Confuſion and Hurry all over the Camp, as made Reſiſtance not only unſafe, but deſtructive; ſome with, others without Arms, crowded together, fell diſorderly upon their own Friends that had come to Action, broke their Ranks and all together fell headlong into Ditches made by late Rains, while the more wary and ſedate Aggreſſors, being acquainted with one another by the diſtinguiſhing Mark they had wiſely put on, and animated with the Hopes of certain Victory, redoubled their Blows, begot Terror, and ſcattered Deſtruction wherever they came. They killed 3000 Gentlemen, beſides common Soldiers, according to ſome Authors (*a*); and among theſe the Guardian himſelf, whoſe improvident Negli-

Defeats the Earl of *Mar* at *Duplin*.

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(*a*) Boet. loc. cit.

gence Hiſtory cannot forget, nor Favour Excuſe. With him fell both the Conſtable and Mariſchal of *Scotland*, *William Hay* and *Robert Keith*; the Earl of *Carrick*, *David Lindſay* of *Glenesk*, *Alexander Beton*, *Alexander Fraſer*, *Robert Strachan*, *George Dundaſs*, *Thomas Hallyburton*, and *John Scrimgeour*, Knights: As alſo, according to *Engliſh* Accounts (*a*), the Earls of *Menteith* and *Athole*, (not he whoſe Sirname was *Strabogy*,) but the Lord *Neil Bruce*, who had been more deſervedly dignified with that Title, Sir *Alexander Bruce*, and, to ſum up all in a few Words, 12 Barons, 800 Knights, 2000 Men at Arms, and above 13000 Foot. A prodigious Number, and ſuch as we could not believe to have been cut off by ſo very few, notwithſtanding all the Advantages they received from Night, Sleep, Sloth, Surpriſe, Diſorder and Treachery, did not even *Scots* Authors acknowledge (*b*), that the like Slaughter had never been ſeen nor felt in *Scotland*. What made it the greater, was the cruel, but, Circumſtances being conſidered, the not impolitick Orders given out before entring upon Action to the conquering Party, which were, That they ſhould give no Quarters, but unmercifully put all to the Sword that ſhould chance to come in their Way. This *Boetius* attributes to the innate Hatred of the *Engliſh* againſt the *Scots*; but more particularly to their cowardly Temper, ever inſolent and outragious in Victory: An unjuſt Reflection I can by no Means allow of, and ſuch as that Author had not made, had he but conſidered, that tho' they could take, yet they could not keep their Priſoners, becauſe more numerous perhaps than themſelves; nor had they as yet ſo much as a Fortreſs in which they could be ſecured; and 'twas not thought ſafe to let them go upon their Paroles: For even Oaths, when forced, as in the preſent Caſe, by an Uſurper, upon a freeborn, tho' vanquiſhed People, were not at all conſidered as binding. This the Lord *Edward Baliol*, as *Edward* I. of *England* had done before, found to his Coſt; for (*c*) the Earls of *Murray*, *Menteith* and *Fife*, together with that Martial Prelate *William Sinclair* Biſhop of *Dunkeld*, were actually made Priſoners, and forced by the Fate of War, to ſubmit and take an Oath to the Conqueror; but we ſhall ſoon ſee, that this was but Matter of Form, and that they meant to be ſubject no longer than they could find an Opportunity of being free. 'Tis not then altogether true that no Quarters were given, but that the Loſſes ſuſtained by the Loyal *Scots* at *Duplin* were very great, is moſt certain; ſo great, that ſome *Engliſh* Authors (*d*) have thought fit to make two Battels of this one, and to tell the Story with ſuch Circumſtances as would make it credible, did any *Scots* Writer mention it in the leaſt, or were there ſo much as a Veſtige any where to be found of a ſecond Engagement. Mr. *Echard* calls it a Fourth Battel, fought

(*a*) Barnes p. 61. (*b*) Boet. ubi ſup. (*c*) Buchan. loc. cit. (*d*) Barnes p. 60, 61. Tyrrel Vol. 2. p. 373.

fought by *Edward Baliol* on *Gladeſmore*. However, I ſhall repete what they have related, that I may not ſeem to leſſen thoſe Glories, which had they really gained, muſt needs reflect more Honour upon the inflexible Minds of the vanquiſhed than they could at firſt give to the ſoon after dejected and fugitive Victors.

The nightly Engagement at *Duplin*, which, by the by, Mr. *Tyrrel* does not believe to have been with the main Body of the *Scots* Army, but only with their Camp-boys and other Dependants that looked after their Horſes, was ſcarce over, when the *Scots* and *Engliſh* Invaders, by the Light of a Houſe accidentally ſet on Fire, diſcovered the whole Hoſt of their Enemies approaching in two great Diviſions; or, as Mr. *Barnes* has it (ſo little do theſe Authors agree among themſelves) in the Morning early, Sir *Roger Swinnerton*, with the Barons of *Veſci* and *Stafford*, having gone abroad to view the Campaign, returned with Advice that a great Hoſt in good Array, ranged in three Battles, with Helmets and ſhining Shields, were on their full March and hard at hand. This News could not be agreeable to Men ſo much haraſſed with Slaughter and Toil; but Sir *Fulk Fitzwarin*, an Officer of eſtabliſhed Reputation, reaſſured their Courage, by telling them, that in his Time he had ſeen many and different Armies, as well among the *Saracens* and *Jews* in *Spain*, as among the *Scots* and *French*; but that he never yet ſaw the fourth Part of ſuch Numbers as were in View (no leſs than 40000 Men) actually engage; he therefore bad them be of good Courage and ſtand their Ground: As if that Spot of Ground on which he and his Handful of Adventurers ſtood, could not have been on all Sides enveloped, and they cut to Pieces in the unequal Fight. *Donald* Earl of *Mar* the Guardian of Part of the Kingdom, and General of the Army, but moſt unworty of the high Poſt, if the *Engliſh* ſpeak Truth, thought ſo, and dreading the Ruin of the Lord *Baliol*, with whom he had ſecretly combined, ſpoke thus to the Earl of *Carrick*. *Sir* Robert, ſaid he, *Thoſe deſperate few the Lord* Baliol *has brought with him deſerve certainly to die by our Swords; but ſince they're Chriſtians as we, I'm ſorry they ſhould, and in my Opinion, we had better let them know that they may yet yeild themſelves to our Mercy and live; thus we ſhall do an Act of Charity, and be Gainers by the Ranſoms they muſt pay. Now ſurely*, replyed the Earl of *Carrick*, *I find out what I ſuſpected before, that thou art an Enemy to thy Country and a Traitor to thy King. You ly*, interrupted the Guardian, *my Sword ſhall prove the contrary, for I will fight them ſooner than any one here. That you ſhall not*, anſwered the other; *maugre your Head I ſhall aſſail them before you dare.* With theſe Words they both put the Spurs to their Horſes; and being followed by their reſpective Squadrons, encountered the Lord *Baliol* at an hanging Gap of the Moor, in a ſtrait Paſſage. As the Attack was brisk, ſo the Reſiſtance was reſolute and ſteddy; but Victory

ſoon declared her ſelf in Favour of the wiſeſt, tho weakeſt: For while the foremoſt of both Parties joyned with their Swords and Spears, the *Engliſh* Archers ſhot thick among thoſe that were yet further off, to the great Deſtruction both of Men and Horſes; in ſo much that the *Scots* Army being by the Contentions of their Leaders, their own Raſhneſs, and their Enemies good Conduct, as well as Courage, brought to Confuſion, met with what they deſerved, a ſignal overthrow, and were purſued till Night. I will not take upon me to diſprove all theſe Matters of Fact, ſo confidently aſſerted, and ſo well circumſtantiated. After all, it is not ſo very improbable, as at firſt it would ſeem, that 30000 Men, the *Scots* Army cannot in Reaſon be ſuppoſed to have amounted to more, levied in haſte, by Conſequence raw and unexperienced, and theſe led by a General that deſigned to betray them, ſhould in a prepoſterous Engagement, whether by Day or Night, be foil'd by ten Thouſand (for the Lord *Baliol* is by *Scots* Authors ſaid to have had no fewer under his Command at the Time) daring, or rather deſperate Volunteers, conducted by Officers of the firſt Rate, animated with the Smiles of hitherto favourable Fortune, fired with promiſing Hope; and to be ſhort, neceſſitated to conquer or die. Such Victories as theſe are not unfrequent in Story. They were yet in Being who had Witneſſed far greater ones, all their Circumſtances being well conſidered, gained by the *Scots* over the *Engliſh* at *Stirling* (*a*), *Roſlin* (*b*), and *Bannockburn* (*c*); and they then lived who ſhall ſee the like Wonders performed by the *Engliſh* at *Poictiers* and *Creſſy*. From thence I conclude, that the Accounts given us by *Engliſh* Authors of this laſt Battle, which they ſay was fought on the fourteenth of *Auguſt*, may be true, if not in whole, at leaſt in part, the rather, becauſe we are otherwiſe (*d*) informed, that thoſe who eſcaped from the nocturnal Butchery at *Duplin*, being enraged with Indignation and Shame, rallied the next Day, and return'd in a tumultuous Body to purſue Revenge; but their Numbers were ſo few, and their Meaſures ſo ill concerted, that they were again put to the Rout (*e*). Thoſe that ſurvived theſe repeated Stroaks of adverſe Fortune, fled to the Town of *Perth*; but being deſtitute both of Arms and Officers, had not the Power, or wanted the Courage, to hold it out, ſo that it fell an eaſy Prey to the victorious Enemy; who wiſely purſuing their Succeſs, entred it that very Day, and immediately ſet to work, in Order to repair and better the Fortifications of ſo important a Place, by entrenching it round with deeper and larger Foſſees. They had Reaſon, for

Takes the Town of *Perth*.

Patrick Dunbar Earl of *March*, whoſe Father, for a long Time a great Stickler againſt the *Brucian* Intereſt (*f*), had been reconciled to his King and Country, probably by the Peace of *Northampton*, was at the Time

(*a*) Vid. Mart. Atch. Vol. 1. p. 530. (*b*) Ib. p. 553. (*c*) Ib. p. 595. (*d*) Boet. lib. 15. p. 313. Holinſhed Hiſt. of Scot. p. 334. (*e*) Buchan. lib. 9. p. 284. (*f*) Crawf. Not. upon Buch. p. 61.

Time Guardian of the South of *Scotland*, as the Earl of *Mar* had been of the North; and he, in Purſuance of his Duty, had not only drawn an Army together of 30000 Men, but was already in the Neighbourhood, and by a ſtrange Fatality lay within five Miles Diſtance of *Duplin*, when his Collegue was ſurpiſed and defeated. The News of that unlucky Action, and of the conſequent Surrender of *Perth* ſurpriſed him extreamly; but he thought he had ſtill in his Power to retrieve theſe Loſſes. With this View he marched to the Town, and hoped to take it and all within it, either by Dint of Sword, or more irreſiſtible Famine. To effect this, he gave Orders to Sir *John Crab* (*a*), a *Fleeming* by Nation, but a Sea-Officer in the *Scots* Service, to man as many Ships as was poſſible on a ſudden, and to attempt the Deſtruction of the *Engliſh* Fleet, which lay in the Water of *Tay* very conveniently for the Relief of the Beſieged. Sir *John* obeyed but too haſtily, and therefore ineffectually: For his own Fleet was defeated by inferior Numbers, ſay the *Engliſh*, and I ſhall not diſpute the Matter with them: Tho', ſince the *Fleemiſh* Admiral is ſaid to have made the Attempt by Surpriſe, (a Proof that he had but little Time to rig out his Veſſels) to me it ſeems more likely, that theſe were but few and ill manned, elſe the Enemy had got previous Intelligence of his Preparations, and had not ſuffered themſelves to be pent up, much leſs attacked in a Firth. But, be this as it will, 'tis certain that the Deſign did miſcarry; and this, I take it, was the Reaſon, hitherto unknown to *Scots* Writers, why the Earl of *March* was obliged to raiſe the Siege; It was now no longer poſſible to hinder the Town from being relieved by Sea, ſeveral (*b*) of the Ports and Cities of *England* had, at their own Charges, ſent Ships towards *Scotland* to favour the Invaſion, the King of *England*'s underhand Practices were obvious, and it was thought more proper to ſecure the other ſtrong Holds of the Kingdom, than to inſiſt too pertinaciouſly upon the Reduction of this one which was loſt. Nevertheleſs the Reſolution taken had a very ill Aſpect, and no better Conſequence. Moſt of the diſheartned Loyaliſts retired to their reſpective Homes, and an intereſted Multitude of mean Spirits and unſtable Principles, crowded to adore the riſing Sun, in ſo much that the Lord *Edward Baliol* thought it high Time to ſet the Crown his Father had once wore upon his own Head, and the Ceremony was performed accordingly at *Scoon*, a royal Abbey, but few Miles diſtant from *Perth*, on the 24th, or according to others, the 27th of *September*.

Patrick Dunbar Earl of *March* attempts the Reduction of *Perth*, but in vain.

Scots Fleet defeated.

The Lord *Edward Baliol* crowned King of *Scotland*.

The Lord *Edward* being encouraged with his rapid Succeſſes, and pretended Dignity of King, he left the Town of *Perth* to the Guardianſhip of the Earl of *Fife*, one of thoſe that had ſubmitted to him, and at the Head of his now not inconſiderable Army, marched Southward, no doubt in order to open a Com-

(*a*) Barnes, Tyrrel, ubi ſup. (*b*) Echard, p. 343.

munication with *England* by Land, as well as by Sea. It ſeems that ſome Places ſubmitted to him upon his firſt Approach, and is certain that *Roxburgh* did (*a*). And here again he had the good Luck to give another Blow to the Rebel *Scots*, ſays Mr. *Barnes* moſt injudiciouſly; as if, becauſe a Fortunate Uſurper had found Means to get himſelf Crowned, he could thereby become a Lawful King, and his Oppoſers be preſently metamorphoſed from the beſt into the worſt of Subjects. Theſe and the like Expreſſions, more than once to be met with in this Author, ſeemingly a *High-Flyer* for Monarchy and Monarchical Principles, betray a plain Contradiction in his Reaſoning, if not, which is worſe, a Deſign to overturn what he ſo much ſets up For (*b*), the Right of his Royal Maſter King *James* the Seventh of *Scotland*, and of *England* the Second, to his Ancient Crown: For if the Lord *Baliol* was lawful King, then both the *Bruces* and all the *Stewarts* that have ſince ſucceeded, have been Uſurpers. Nor is it true what he elſewhere aſſerts (*c*), *That upon the Death of the Lord* Baliol *without Iſſue, there was no Pretence left to any to diſturb the then uncontroverted Right of* David Bruce *King of* Scotland, *and conſequently of Prince* Robert Stewart *his Nephew.* I ſhall afterwards ſhow, that the Lord *Baliol* did leave Heirs, tho not of his own Body, yet ſuch as had as good Right in Blood to the Crown as himſelf or his Father, and a far better, conſidering the ſhameful Subjection they both made to a foreign Power: But I have already ſhewed (*d*), and, I think, beyond the Poſſibility of a Reply, that the *Bruce* (and by Conſequence the *Stewart*) had even by his Birth, and in Right of his Father and Grandfather, a more legal Title to the Kingdom he gained and tranſmitted to his Poſterity, than either of the *Baliols*, or their Heirs whatſomever: Tho, to ſay the Truth, had theſe laſt, as the former, maintained the Rights of Sovereignty, I mean, had they not Unkinged themſelves, by owning a Superior Lord above them, I ſhould be very far, (ſince after all they had Reaſon to pretend,) from placing them in the odious Liſt of Uſurpers. Nay, I am ſo very favourable to this *Edward Baliol*, as not to quarrel the Attempts he made, as miſchievous as they proved to the Country, towards regaining of a Crown he thought his own by lawful Deſcent from his Anceſtors. 'Tis true, his Father King *John* had again and again renounced, and in the moſt ſolemn Manner imaginable given up both his own and his Children's Pretenſions. What then? The Father's Renunciation, ſay moſt Lawyers, could not wrong the Son, whoſe unalienable Right was inherent in his very Blood, and, if I may ſay ſo, eſſential to his Being. I ſpeak thus, upon the Suppoſition, That the *Baliol*'s Right had been, by prior Statutes and

Takes *Roxburgh.*

(*a*) Barnes p. 67. Tyrrel Vol. 3. p. 374. Buch. p. 286. (*b*) Vid. his Hiſt. p. 787. (*c*) P. 632. (*d*) Vol. 1. p. 628, 629, &c.

and the Fundamental Laws of the Kingdom, preferable to that of the *Bruce*; but it was quite otherwiſe: The *Bruce* had a formal and ſolemn Determination in his Favour, made by a lawful King, and by what was, in thoſe Days, equivalent to a lawful Parliament. By that Determination founded upon immemorial Cuſtom, ſtrong Reaſon, and the Nation's Opinion, and contrary to no Law or Precedent demonſtrable, *Dervegild* was poſtponed to the *Bruce*, and in her both her direct and collateral Line for ever. The *Scots* then, that ſtood ſo obſtinately in Oppoſition to the Lord *Edward Baliol*, tho now Crowned King, were no Rebels, as they are unjuſtly miſcalled; yet were not always the more Succeſsful becauſe Loyal: The Nation was doomed to be ſcourged, as all Nations are, when they themſelves make, or Providence, as in the preſent Caſe, permits a Competition to be ſtarted for Sovereignty.

Andrew Murray of *Bothwel* made Guardian of *Scotland.*

In the Room of the deceaſt Earl of *Mar* they had choſen, or cauſed the King to Name Sir *Andrew Murray* Lord *Bothwel* (*a*), conjunct Guardian with the Earl of *March*, a brave Gentleman, whoſe Father (for ſuch I think he muſt have been) had the Honour to die for his Country (*b*) in that glorious Battle of *Stirling*, where the incomparable Sir *William Wallace*, with 8, or at moſt 10000 Men, defeated the Earl of *Surry* at the Head of 40000, and who himſelf, when as yet a very young Man, for his great Gallantry was Sirnam'd the *Noble* (*c*), and commanded the *Scots* Army under the ſame Sir *William Wallace*, towards the End of the Year 1297, and Beginning of 1298, when they laid waſte almoſt the whole North of *England*, and affronted a Royal Army conſiſting of above 100000 Foot, and 4500 Horſe. The new Guardian was no ſooner advanced to that eminent Truſt, but he too forwardly endeavoured to ſhew that he deſerved it, for after having fought with, and put to Flight the Lord *Edward Baliol* and his conquering Army, in View of the Town and Caſtle of *Roxburgh*; he purſu'd the Chaſe ſo eagerly (*d*) and ſo far, that being unable to get back, he was taken by thoſe he had routed, and ſent a Priſoner to *Durham*. Thus within leſs than Four Months, I reckon from the Beginning of *Auguſt* till towards the Middle of *November*, did the Lord *Edward Baliol*, by an amazing Current of reſiſtleſs Fortune, or rather Permiſſion of unſearchable Providence, gain at leaſt 6 Victories, force to Submiſſion, kill or take Priſoners ſome Thouſands of Gentlemen, and ſome of them the moſt Eminent, both for their Merit and Quality, then in the Iſland, or elſewhere; put to the Sword a numberleſs Multitude of Commons, entirely ſubdue near the One Half of a Kingdom, and by Conſequence beget to himſelf a moſt promiſing, nay almoſt an infallible Pro-

Taken Priſoner.

(*a*) Crawf. Notes upon Buch. p. 62. (*b*) Marr. Atchiev. Vol. 1. p. 531. (*c*) Ibid. p. 532, 533, 534. (*d*) Buch. p. 286.

ſpect of reducing the whole. King *Edward* III. of *England* heard of, and beheld the much wiſhed for Revolution with unſpeakable Pleaſure, but being Maſter in the Art of Diſſembling, he ſeemed for ſome time to ly by an indifferent Spectator; and, to conceal the Deſign of the Warlike Preparations he was actually making, gave out that his Preſence was neceſſary in *Ireland*, where the wilder Natives were of late become unſociable and mutinous. In order to promote this pretended Expedition, he held his Parliament at *Weſtminſter* in the Beginning of *September* (*a*): But before they could enter upon Buſineſs, *terrible News came all on a ſudden from the North of a* Scottiſh *Invaſion*: As if the *Scots*, who had ſo much Work upon their Hands at Home, and had but lately loſt ſo much of their own, had been ſo mad as to provoke a powerful and peaceable Neighbour, or in a Condition to do it. However the Device ſucceeded, and the King was humbly entreated to lay by the Thoughts of his Expedition into *Ireland*, and to go rather with an armed Force to obſerve the Motions of the *Scots*. For this End, they granted him a Fifteenth of the perſonal Eſtates of the Prelates, Lords, and Knights of Shires, and a Tenth of all Cities and Burrows. This done, the Parliament was adjourned to *York*, whither the Members were appointed to come by the 25th of the Month. So far was *Scotland* from being deſpiſed, or accounted for Nothing in thoſe Days, that, as on the preſent Occaſion, ſo often before and afterwards, *Engliſh* Kings, indeed the Greateſt *England* ever had, thought fit to reſide, and *Engliſh* Parliaments to meet, as near to the Borders as could be; nay *Engliſh* Kings have frequently ſtaid whole Summers and Winters, ſometimes Years within ſuch Parts of *Scotland* as they had ſubdued; and I doubt not, but that, had it been deſired, towards effecting an Union of the two Kingdoms, both the Court and Parliament had then moſt willingly condeſcended to imitate the Beneficent Sun, I mean, to warm our colder and more Northern Climate by Annual, at leaſt Triennial Viſits. The deſigning Monarch, now he was encouraged by his Parliament, and provided with Money, immediately iſſued out (*b*) his Orders for raiſing of Men; then took his Journey for *York*, where, as appears by the Date of his Writs to be ſeen among Mr. *Rymers* Collections, he kept his Court all Winter. Nevertheleſs he did not at firſt confeſs himſelf, what he was, an Enemy to his Brother-in-law: On the contrary, he pretended to correſpond with him, at leaſt with his Guardian (*c*) in a Friendly Manner: But his Correſpondence with the Uſurper was much more cloſe; nay, he himſelf was actually uſurping upon both the contending Parties, and at the ſame time diſpatching Letters to Foreign Potentates, particularly to the Pope (*d*), excuſing his ſuſpected

Edward III. of *England* abets the Intereſt of the *Baliols*

(*a*) Barnes p. 66. Tyrrel Vol. 3. p. 374. (*b*) Fœd. Angl. Tom. IV. p. 533, 534. (*c*) Ibid. p. 535, 540. (*d*) Ibid.

ſuſpected Reſidence in the North, and intreating, that they would believe no falſe Suggeſtions made, or to be made againſt him. His Letter to the ſovereign *Pontiff* was written on the 15th of *December*; and yet we find, that on the 22d of *November*, near a Month before, he had obtained from the Lord *Baliol* a full and ample Ratification of the previous Bargain they had made: And what a Bargain it was, the Writ it ſelf (*a*) teſtifies. It is dated at *Roxburgh*, and begins by aſſerting a notorious Falſhood, by me and others often confuted, *viz.* "That the "Kingdom of *Scotland* and the adjacent Iſles did always hold "of the Crown of *England*; That *Edward* I. as ſuperior Lord of "the ſame had adjudged them to King *John Baliol*, Father o "the preſent King *Edward*; That the ſaid King *John* was, fo "ſome Exceſſes committed by him, deprived of the Kingdom "which thereby devolved to his ſuperior Lord King *Ed* "*ward* I. of *England*: But that this laſt was hindred from th "Poſſeſſion by Sir *Robert de Brus*, who had no Right at all. And "now, (*continues the Lord* Edward, *taking upon him the Title, bu* "*far from uſing the Stile of a King of* Scotland) ſince by the Per "miſſion of the moſt excellent Prince, our moſt dear Lord and "Couſin, Sir *Edward* King of *England*, Lord of *Ireland*, and Duke "of *Aquitain*; and with the Aid of ſome of his Subjects and For "ces, we have recovered our Inheritance, and are Crowned "King of *Scotland* and the Iſles: We do hereby declare, That we "have paid our Homage to the ſaid King of *England*, in th "Terms following. The ſaid King holding our Hands with "his own, we ſaid, I *Edward*, by the Grace of God King o "*Scotland* and the Iſles thereto belonging, become your Liege "man for the ſaid Kingdom and Iſles, againſt all Perſons tha "may live and die. And the ſaid King did receive our Homage "as ſaid is. *He goes on*: And for the great Honour and Profit "accruing to him from the Permiſſion and Succours above-men "tioned, grants to the King of *England*, his Heirs and Succeſſors, "the yearly Revenue of 2000 Pounds in Lands, to be aſſigned "on the Borders of *England*, and to be annexed to the Crown of "*England* for ever." The Caſtle, Town, and County of *Berwick* are particularly named as Part of theſe Lands, and we ſhall afterwards ſee, what large and fruitful Territories were added to make up the whole. "He alſo obliges himſelf to attend the King of "*England* in Perſon at the Head of 200 Men at Arms, and his "Heirs at the Head of 100 in *Gaſcony*, or any where elſe, as "often as required: As alſo, to take to Wife *Jean* Siſter to the "King of *England*, in caſe her Marriage with *David de Brus* be "not conſummated, and to provide her in a Jointure of 500 "Pounds a Year: And if he ſhall chance to fail in this, then he "declares himſelf bound to pay to the King of *England* 1000

His Bargain with the Lord *Baliol*, what it was.

(*a*) Ibid. p. 336, 337, &c.

" Pounds towards the Marriage or Entertainment of his Sister. Neither was that Princeſs's Husband *David de Brus* (for ſo were they pleaſed to deſign him) entirely neglected, " The Lord *Baliol* being bound to provide alſo for him, by Advice of the " King of *England* and his Council. " This laſt Clauſe, the Reader cannot but think, was a ſtrange ſort of Equivalent for the Loſs of a Wife and a Crown. In fine, to make all ſure on the Part of the Lord *Baliol*, he concludes, " By obliging himſelf " and his Heirs Kings of *Scotland*, to pay to the King of *Eng-* " *land* and his Heirs, as often as required, the Sum of 2000 " Pound *Sterline*; and in caſe he or they ſhould fail, he grants " Power to the Kings of *England*, to ſeiſe into their own Hands " all the Cities, Burghs, Caſtles, Mannors, Lands, *&c.* within " the Kingdom of *Scotland*, and to detain the ſame till compleat " Payment ſhall be made. By another Writ of the ſame Date, he " obliges himſelf and his Heirs, to ſerve the King of *England* and " his Heirs in Perſon, and with all the Forces *Scotland* can raiſe, " as often as required, within the Bounds of *England*, *Wales*, or " *Ireland*. The Onerous Cauſe is, *Becauſe the King of* England " *has obliged himſelf and his Heirs, to maintain him on the Throne of* " Scotland. " A plain Proof, I take it, of the previous Bargain they had ſtruck up; a Bargain in all Reſpects ſo *ſhameful*, that, as it is a full Juſtification of the *Scots* Behaviour, and a Demonſtration that they were not the firſt Breakers of the late Peace with *England*; ſo it will reflect an indelible Stain upon the Memory, not only of the Lord *Baliol* and his Adherents, but alſo on that of the ſo much celebrated King *Edward* III. And after this, with what Front can *Engliſh* Authors (*a*) pretend to give a *faithful and impartial Account of the Riſe of this War*; and tell us, as they do, *That the Truce, or quadriennial Peace was now expired*; (it could never expire, ſince I have demonſtrated that it was expreſly declared to be *perpetual*) *That King* Edward *had hitherto kept it moſt punctually*; *That he gave not the leaſt Help to thoſe* Engliſh *Adventurers that invaded* Scotland; *and that, becauſe they preſumed to undertake that War without his Leave, he cauſed their Lands to be ſeized into his own Hands.* That he did ſo, I truly believe; and this ſhews, what Pains he took to trick the World into a Belief of his Ingenuity, and the *Scots* particularly into Hopes that he would not, in Defiance of a ſolemn Treaty, an inviolable Oath, and an Act of Parliament, endeavour the Ruin of a young and harmleſs Neighbour, his own Brother-in-law. As they wiſhed him ſincere, ſo they uſed all Means in their Power to perſwade him to be ſo. Their faithful Ally *Philip de Valois* King of *France* (*b*) wrote preſſing Letters to him in their Favour, and their own Guardians ſent again and again (*c*) fit Perſons, namely *Robert de Lowden* and *Randulph*

(*a*) Vid Barnes p. 66, 67. Echard Vol. 3. p. 374. (*b*) Fœd. Ang. Tom. IV. p. 557. (*c*) Ibid. p. 533, 540.

Randolph de More to wait upon him, and intreat, that the Articles of Peace might be punctually obſerved: But, ſays Mr. *Tyrrel* (*a*), *The King's Council were of Opinion, that he was not obliged to act againſt his own Subjects, who had loſt all their Eſtates in* Scotland *by theſe Articles upon his Account.* Thus he began by Degrees to pull off the Mask, and inſtead of giving a ſatisfactory Anſwer to the *Scots* Envoys, about the middle of *December* (*b*), when the Lord *Baliol* was triumphing, and King *David*'s Friends reduced almoſt to the laſt Extremity, he ſent the Lord *Baſſet* and Sir *William Denham* his Ambaſſadors to the latter, with Orders to demand preſent Reſtitution of the Town of *Berwick*, which, ſaid he, his Grandfather had once peaceably poſſeſt: He might have ſaid the ſame of moſt Towns in the Kingdom: But at this Time he thought not fit to pretend to the Propriety of the whole, for then he muſt have given up his Friendſhip and Agreement with the Lord *Baliol*: But what the Lord *Baliol* had granted to him, Homage and Fealty for the whole, that he alſo required of King *David*. That Prince was yet very young, but young as he was, *Froiſſard* who lived near the Time, tells us, that he made this reſolute and judicious Anſwer.

Quarrels with K. *David*.

K. *David*'s reſolute Anſwer to the *Engliſh* Ambaſſadors.

" My Lords, 'Tis Matter of Wonder to us and to all our Barons, that " the King your Maſter, our good Brother-in-Law, ſhould ſend us " ſuch a Meſſage as you have in his Name delivered. It could " never appear to us that the Kingdom of *Scotland* was at any " Time ſubject to that of *England*, or that its Sovereigns were " bound to do Homage, or to perform any Manner of Service for " their independent Crown. The King our Father of famous " Memory, choſe rather to wage a perpetual War with both the " Father and Grandfather of the King your Maſter, than to yeild " to any ſuch Overtures. His Steps, we our ſelves intend, God willing, " to trace, and ſhould we hazard both our Life and Kingdom, we " are reſolved never to deviate from the honourable and juſt Ex- " ample he has ſet us. As for *Berwick*, it juſtly belonged to, and " was fairly won by the Proweſs of the King our Father, from " the Father of the King your Maſter, in Time of open War, and " by the ſame Proweſs, he held it with Honour, till, by his " Death, it came with the reſt of his Inheritance to us his only " Son and undoubted Heir. As 'tis therefore our Duty, ſo it is " alſo our Reſolution to defend it with our outmoſt Ability, and " to hold it in the beſt Manner we may. And now, my Lords, " we require of you as Gentlemen and Chriſtians, that while " you return this Anſwer to the King your Maſter, you'll alſo " prevail with him, if poſſible, to forbear encroaching upon our " Rights and Franchiſes, and to leave freely in our Poſſeſſion what " our Father ſo valiantly won, ſo peaceably enjoyed, and ſo en- " tirely tranſmitted to us. Let him not give Ear to falſe Reports; " for we have no ſuch Deſign, as to infringe the Treaty of *Nor-*

(*a*) Vol. 3. p. 375. (*b*) Vid. Tyrrel, Vol. 3. p. 376, Barnes, p. 71, 72. Froiſſard, c. 26. &c.

" *thampton*; a Treaty, no leſs ſacred to us, than it ought to be " to him, that made it ſo lately, and ſo ſolemnly ſwore to keep it in- " violable. Adviſe him likewiſe to beware of thoſe evil Councel- " lors, whoſe reſtleſs Spirits influence him to our Prejudice; and " put him in mind, that we have taken his Siſter, (an aſſured " Pledge of his Amity,) into our royal Bed, and have, upon her " Account, Reaſon to think, that ſhould any other Prince in the " World offer to injure us, he eſpecially would defend and aſ- " ſiſt us.

The Ambaſſadors promiſed to acquit themſelves as the youthful Heroe deſired them. Perhaps they did it; but they did it in vain: And the loyal *Scots* being threatned by ſo many Appearances, I ſhould rather ſay, Evidences of the Miſchiefs King *Edward* had already wrought and continued to prepare for them, reſolved not to be wanting to themſelves. Their late Loſſes were ſuch and ſo many as had quite diſheartned a leſs reſolute People than they were at this Time. Nor is it to be thought, that they were all equally patient of Hardſhips, or void of Fear. Beſides thoſe, who, as I have already related, were taken in Battle and forced to ſubmit, ſeveral others revolted to what they thought the ſtronger Side; and among theſe, even (*a*) *Alexander Bruce* (Who would have thought it?) another natural Son of the King of *Ireland* (*b*), and now in Right of his Brother *Robert* lately ſlain, Earl of *Carrick*. But ſtill the Majority of the Nation remained undaunted: Four Gentlemen, the worthy Sons of as many Fathers lately killed at the Battle of *Duplin*, (*c*) *Robert Keith*, *Alexander Lindſay*, *James* and *Simon Fraſers* were particularly remarkable for their Forwardneſs to beſiege, and their good Luck in retaking the Town of *Perth*. That Place, being well fortified by the Lord *Baliol*, and garriſoned by thoſe of his Party, was attacked not long after he left it: But after a vigorous Defence of three Months, was forced to ſurrender. Its Governor the Earl of *Fife*, unjuſtly ſaid by *Engliſh* Authors to have betrayed it to the *Brucians*, was, for the greater Crime he had committed in ſerving the Lord *Baliol*, ſent a Priſoner, together with his Lady and Children, to the Caſtle of *Kildrumy* in *Mar*; and *Andrew Murray* of *Tullibardin*, by whoſe Treachery the Invaders had been taught to paſs the River of *Ern*, and to ſurpriſe the ſleeping Camp at *Duplin*, was put to Death. Much about the ſame Time, the Lord *Edward Baliol* being ſecure of Fortune and *England*'s Favour, and imprudently deſpiſing an Enemy he had ſo often defeated, lay at *Annand* his paternal Inheritance, where he deſigned to keep his *Chriſtmaſs* in Mirth and Jollity. Of this the *Scots* Chiftains, by dear bought Experience taught to be vigilant, had Intelligence; and, as they had in a great Meaſure loſt the Kingdom, ſo they regained it by Surpriſe. *Archbald Douglas* (*d*), Lord of *Galloway*,

Perth retaken by the Loyaliſts.

Archbald Douglas Lord of *Galloway* and *John Randulph* Earl of *Murray* expel the Lord *Baliol*.

(*a*) Vol. 3. p. 375. (*b*) Buchan. p. 285. Crawf. Notes, p. 62. (*c*) Buchan. p. 285. Holinſh. p. 336. (*d*) Crawf. Notes p. 49.

way, the Brother of the brave Sir *James*, and *John Randulph* Earl of *Murray*, Son to the great *Thomas* of that Name, at the Head of 1000 Horſe upon *Chriſtmas* Evening, attacked the Enemy unawares, and put moſt of them to the Sword; in ſo much that the pretended King with great Difficulty eſcaped on Horſe-back, half naked, and without either Bridle or Sadle, to *Carlile*. His Brother Sir *Henry Baliol* was not ſo lucky: That young and valiant Lord, the laſt Hope of his unfortunate Family, was killed on the Spot, and with him *Walter Cumine*, *John Kirkby*, &c. The Earl of *Carrick* was taken Priſoner, and had been executed, but for his Couſin the Earl of *Murray*, at whoſe Entreaty he was reſerved to die with Honour for the Cauſe he had ſo diſhonourably abandoned. I very well know what Mr. *Barnes* takes Notice of, and calls *Vanity and a notorious Falſhood* in *Hector Boethius*, that this laſt deſcribes the Victory gained over the Lord *Baliol* at *Annand*, as a juſt Battle won after a long and doubtful Fight. It may be ſo, for ought I ſee to the contrary; Tho' unwilling to magnify Uncertainties, I have followed *Buchanan*, who after all, I believe, knew no more of the Matter than *Boethius*; But I am ſure I have as good Reaſon to credit either of them, as Mr. *Barnes* himſelf *(a)*, or ſuch as he, who, to leſſen the Glory of that noble Exploit, ſay, that the perfidious *Scots* had tricked their new King into a Truce, and then coming ſuddenly upon him, made a lamentable Slaughter of his Friends. Had this been true, the King of *England*, who wanted but a colourable Pretence to palliate the open and bare-faced Protection he afterwards gave to the Lord *Baliol*, would not have failed to muſter up among the reſt of his Reaſons, ſuch a notorious Piece of Perfidy, as all the World muſt have looked upon this to have been. However, 'tis certain, that the *Scots* Patriots retrieved in one Day, with but one Blow, and by the Bravery of but 1000 Horſe the repeated Loſſes of five Months, the moſt bloody and calamitous they had ever ſeen. And in this Manner I have told, and in ſo ſhort Time did the Lord *Edward Baliol* win and loſe his uſurped Crown.

Henry Baliol the Lord Edward's Brother killed.

That Mock-Monarch (for by his Treaty with *England* he was no more,) was received, and during the holy Days of *Chriſtmaſs* entertained at *Carlile (b)* by the Lord *Dacres* Governor of the Place and Sheriff of *Cumberland*. From thence he went into *Weſtmorland*, where the Lord *Clifford* welcomed him, and he gave to that Nobleman what he himſelf was not Maſter of, the Country of *Douglaſdale* in *Scotland*, formerly granted by King *Edward* I. to his Grandfather. From *Weſtmorland* he travelled to *Lancaſhire*, and the Lady of *Ghiſnes* an Earldom in *France*, furniſhed him and his Retinue with what they very much ſtood in need of, Horſes, Arms, and Money. To be ſhort, all the North of *England* ſatisfyed that, to oblige the Lord *Edward Baliol*, was to court the Favour of their

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(a) Vid. Barnes, p. 67. Tyrrel, Vol. 3. p. 375. (b) Barnes, p. 67, 68.

own Sovereign, did all they could to allay his Grief, and to reaſſure his Hopes. And he, in Purſuance of his ſhameful Agreement, above-related, with the King of *England* (*a*), ſent to him *Alexander Moubray*, and *John Felton* his Procurators and Attorneys, with Orders to ſwear to the faithful Performance of it in his Name, and *upon his Soul*. What Succeſs they had in their Negotiations we ſhall very ſoon ſee. In the mean Time the Guardians, *Archbald Douglas*, who had lately been preferred to that Poſt, in the Room of the Lord *Bothwel*, and the Earl of *March* were not ignorant of what paſſed. They reſolved to be before hand with the powerful Enemy. With this View the Lord *Archbald Douglas*, after committing the Caſtle of *Berwick* to the Care of his Collegue the Earl of *March*, and the Town and Suburbs to that of the noble Sir *Alexander Seton*: He ſet himſelf at the Head of 3000 choiſe Men, and in Purſuance of the Blow he had lately given to the Lord *Baliol* at *Annand*, entred *England* in the midſt of Winter. He directed his March to *Carlile*, whither the Lord *Baliol*, when expelled, had fled, made every where great Havock, but eſpecially in the Country of *Gillesland* belonging to the Lord *Dacres*, which (*b*) he laid entirely waſte for above 30 Miles round, and ſo returned laden with the Spoils of a Country too hoſpitable, to the Scourge of his own. The *Engliſh*, in thoſe Parts, had, it ſeems, as yet no Force capable to oppoſe him: But to retaliate, in ſome Meaſure, their Loſſes, Sir *Anthony Lucy* entered *Scotland* much about the ſame time, at the Head of no more, ſay *Engliſh* Authors, than 800 Men. With theſe he had the good Luck to encounter, defeat, and take Priſoner *William Douglas* Lord of *Lidſdale*, a Natural Son (*c*) of the Famous Sir *James*, then Governour of the Caſtle of *Lochmaben*, from whence he ſallyed out, it ſeems, unwarily; for he was, like his Father, extremely brave; and therefore vulgarly called (*d*) *The Flower of Chivalry*. The *Scots* could not but regret the Want of ſuch an Officer; but they had others, who, if we may take King *Edward*'s Word for it, re-entered *England* again and again before the Beginning of *March*; for which Reaſon, that Prince (*e*) emitted ſeveral Proclamations to the Inhabitants of *Northumberland*, *Cumberland*, *Weſtmorland* and *Biſhoprick*, ordering them to withdraw their Effects to Countries more remote from Harm; and made loud Complaints, (if he had Reaſon, let the Reader judge) particularly to the King of *France* and Earl of *Flanders*, That the *Scots* had, with great Armies and Banners diſplayed, ſeveral times invaded *England*, killing, burning and deſtroying wherever they came. He told the Earl of *Flanders*, That ſeveral of his Subjects had confederated with the *Scots* Rebels, and in their Quarrel done great Dammages both by Sea and Land; and the King of *France* that he would have had Regard to his Requeſt

Archbald Douglas made one of the Guardians of *Scotland*.

He Invades *England*.

William Douglas Lord of *Lidſdale* made a Priſoner.

(*a*) Fœd. Angl. Tom. IV. p. 548. (*b*) Tyrrel Vol. 3. p. 377. Barnes p. 68. (*c*) Crawf. Notes p. 63. (*d*) Holinſh. p. 336. (*e*) Fœd. Angl. Tom. IV. p. 551, 552, 557.

queſt in favour of the *Scots*, but that they had evidently broken the Peace, and he was obliged to repel Force by Force. Thus it appears, that King *Edward* himſelf did not ſo much as pretend, what *Engliſh* Authors have ſince invented, either, *that the Truce was expired*; or, *that the Peace was but Quadriennial*; or, *that it was made in his Minority, againſt his own and the Nation's Conſent.* No, he very well knew, that none in that Age could or would believe him, if he ſhould ſay ſo. But it was true, that the *Scots* had actually invaded his Territories, and therefore, as if he had not at all given Aſſiſtance to, nor made a private Agreement with the Lord *Baliol*, nor, by his Ambaſſadors threatned an open War againſt King *David*; he proclaimed aloud that the perfidious *Scots* had broken the Peace, and invaded *England* with Fire and Sword, and that it was therefore neceſſary to repel them with armed Force.

His Parliament, to which *Edward Baliol*, as King of *Scotland*, was ſummoned (*a*), thought fit to be of his Opinion, and chearfully promiſed to aſſiſt him with their Perſons and Purſes. And now, having made all the neceſſary Preparations towards a vigorous War and an early Campaign, he ſent a ſtrong Detachment to the Frontiers, under the Command of *Henry Plantagenet* Son to the Earl of *Lancaſter*, *Richard Fitzalan* Earl of *Arundel*, and the Lords *Montague* and *Nevil*. Theſe Commanders joined their Forces with thoſe the Lord *Edward Baliol* had ſaved from the Engagement at *Annand*, or but juſt then raiſed in the North of *England*. Their united Strength was ſo conſiderable, that they ventured to paſs the Borders, and to beſiege, I know not what Fortreſs; which they took, and finding in it a great many *Engliſh* Ladies and Gentlemen, (among the reſt the Lord *Robert Colvil* (*b*) a Baron of *England*,) not long before made Priſoners by the *Scots*: They relieved them, razed the Caſtle, and marching from thence to *Berwick*, inveſted that important Frontier by Land and Sea. King *Edward* having not long after muſtered the whole Forces of *England* at *Newcaſtle*, followed in Perſon about the End of *April*, and with ſuch a prodigious Army, which cannot be ſuppoſed to have conſiſted of leſs than 100000 Men, doubted not to make an eaſy Conqueſt of a Place already ſhattered by former Attacks. But after even that mighty Power he brought along with him, had lain full Five Weeks before it (*c*), he found his Miſtake. His Army was too numerous to be all employed at once, and the Garriſon too brave to be foiled by ſuch as the Ground permitted to aſſault them. To be ſhort, thoſe, more immediately under his own Command, were thought uſeleſs; and thoſe, under that of the Lord *Baliol*, ſufficient, if not to take, at leaſt to weary, haraſs and ſtarve both Town and Caſtle into a Neceſſity of yielding. Wherefore, leaving theſe laſt behind to purſue the

Edward Baliol returns with an Army to *Scotland*, and

Inveſts *Berwick*.

Edward III. his firſt Expedition into *Scotland*.

(*a*) Tyrrel Vol. 3. p. 377. Barnes p. 72, 73. (*b*) Dugdale Vol. 1. p. 626. (*c*) Froiſſard. c. 26. fol. 16. Barnes p. 74.

Meaſures laid down, he drew off the former, advanced at their Head into *Scotland*, waſted the Country wherever he came, took and Garriſoned the Caſtle of *Edinburgh*, paſſed the Firth at *Queensferry*, marched to, and deſtroyed the Town of *Dumfermling*, and from thence over-run all the adjacent Fields, on the one Hand, as far as *Dundee*, and on the other, very near to *Dumbarton*. To this laſt Fortreſs, becauſe in thoſe Days thought impregnable, King *David* and his Queen had retired. His Council had adviſed him not to hazard a Battle, and they were in the Right; for, as he himſelf was incapable of Action, ſince as yet but 10 Years of Age, ſo the beſt of his Generals had been of late, either by Death cut off, or by the Fate of War made Priſoners: Beſides, the then *Scots*, regardleſs of their private Intereſt, unmoved at the Ruin of their Towns, and Deſolation of their Lands, conſcious of the inequality of their Numbers, when attacked by a Royal Army from *England*, *Ireland* and *Aquitain*; and aſcertained of the inevitable Miſchiefs that muſt needs enſue upon the Loſs of a deciſive Battle, were wont, on the like Occaſions, to give Way to the Torrent they could not ſtop, and withdraw with their beſt Effects to inacceſſible Faſtneſſes, ſuch as the Forreſt of *Jedburgh* in the South, and the *Highlands* in the Weſt and North. *But have a little Patience*, ſaid they to their youthful Sovereign, *this Storm will ſoon blow over; nor is it the firſt of this Kind our ſelves and our Fathers have fearleſly beheld, and with prudent Cunctations got free of. Such Swarms of a pampered People cannot long ſubſiſt in a deſolate Soil; impatient of Want, they muſt retreat, and our avenging Swords ſhall purſue them in the Rear.* They were as good as their Word: For while the Guardian *Archbald Douglas* was drawing together the whole Forces of the Kingdom, it is owned, that ſeveral *Scots* Knights and Gentlemen, at the Head of ſmaller Detachments, attended King *Edward* in his March, made frequent and briſk Onſets upon Part of his Army, intercepted his Convoys, and plagued him with continual Alarms: Yet, as he returned, he is ſaid to have taken the Caſtle of *Blackneſs*, and ſome other Forts upon the Sea-ſide; intending thereby to ſpread the War, and keep it up even in the Bowels, as well as on the Frontiers of the Kingdom. This done,

He takes *Edinburgh*.

He rejoined the Lord *Baliol* at *Berwick*, where the Loſſes, the one had ſuſtained at the Siege of that Place, and the other in his Progreſs through the Country, were abundantly ſupplied by the Arrival of *John* Lord *Darcy*, with a conſiderable Reinforcement, both from *Ireland* and *Aquitain*. And now the Town and Caſtle, after a noble Defence of very near 4 Months, began to be ſtraitned; and the Governours of each thought fit to capitulate upon the ſame Terms; which were, That, if before *Tueſday* the 20th of *July* they were not ſuccoured, then they ſhould ſurrender to the Conqueror, their Lives and Goods being ſaved. For Performance

this inhumane Murder being brought to the *Scots* Army, ſo much incenſed the leſs thinking Majority of them, that with loud Cries they demanded to be led on to Revenge; in ſo much, that the General, fired with the ſame Indignation, and truſting to the preſent Ardour and Bent of his Men, (indeed a very encouraging Motive) thought no Difficulties unconquerable, and therefore in all Haſte iſſued out his Orders to march.

They came in View of the *Engliſh* Army, not on the Feaſt of St. *Mary Magdalene*, as *Scots* Authors (ſeldom exact in their Chronological Accounts) have written, but on *Munday* the 19th of *July*, three Days preceeding that Feaſt, and the Vigil (*a*) of St. *Margaret* the Virgin Martyr; on whoſe Day the Place, if no ſooner ſuccoured, was, by the Capitulation above-mentioned, to be ſurrendred. They beheld their Enemy from afar, who, contrary to what they expected, had left their Camp, and poſted themſelves more advantageouſly on *Hallidon*-Hill, an Eminence, on the Weſt Side (where only the *Scots* could offer to attack them) ſo very ſteep, that as ſeverals have obſerved (*b*), one Man is not to be overmatched by Four. Then it was, that the *Scots* Commanders ſaw their Error, and dreaded the Conſequences of it; but it was too late: For the very next Day *Berwick* muſt be given up in their Sight, and they could not retreat without expoſing, at leaſt, their Rear to an unavoidable Defeat. What was practicable they did, that is, they ſtood long in View of the Enemy, and uſed by ſeveral Means to draw them to the equal Field. For that End, a ſingle Combat is ſaid (*c*) to have been arrogantly propoſed by one *Turnbull* a *Scots* Gentleman, and bravely accepted of by Sir *Robert Benhale* an *Engliſh* Knight. The *Engliſhman* is alſo ſaid to have had the better of it; which, for ought I know, may be true. But 'tis certain, that as no Artifice could perſwade King *Edward* to alter the Situation of his Army, ſo no Reaſon could prevail with the Lord *Archbald Douglas* to forbear attacking him any longer; ſo that, about the Time of Evening-Song, when the Day was pretty near ſpent (*d*), the *Scots* Army began to move in Four great Bodies, ſay *Engliſh* Authors: Whoſe Accounts, becauſe more full than thoſe given us by the *Scots*, I ſhall firſt relate, and afterwards enquire how far we may depend upon them. In the Vaward were theſe Lords, *John Murray*, who commanded in place of *John Randulph* Earl of *Murray* unluckily ſick at the Time; the Lord *Andrew Fraſer*, with his two Brothers *Simon* and *James*, *Reginald Cheyne*, *Patrick Graham*, *John Grant*, *James Carliſle*, *Patrick Parker*, *Robert Caldcotes*, *Philip Meldrum*, *Thomas* and *Gilbert Wiſemans*, *Adam Gordon*, *James Gramont*, *Robert Brady*, *Hugh Parker* with 40 Knights new dubbed, 600 Men at Arms, and 3000 Commons. In the firſt Half of the ſecond Battail, were the young,

(*a*) Fœd. Angl. Tom. IV. p. 568. (*b*) Godſcroft p. 58. (*c*) Barnes p. 77. (*d*) Barnes p. 78, 79, &c. Tyrrel Vol. 3. p. 378. Echard p. 347. Buchan. p. 289. Boet. p. 316, 317. Holinſh. p. 337. Godſcr. ubi ſup.

young, but even then remarkable above his Years, *Robert* Lord High-Stewart of *Scotland*, with his Banner, Sir *James Stewart* his Uncle, the Earl of *Menteith*, *William Douglas*, *David Lindſay*, *Malcolm Fleming*, *William Keith*, *Duncan Campbel*, with 30 Batchelours new dubb'd. And in the ſecond Diviſion of the ſame Battail, *James Stewart* of *Colden*, *Alan Stewart*, *William Abernethy*, *William Morrice*, *William Erskin*, *Adam Murray*, *Walter Fitzgilbert*, *John Straton* and *Robert Walthew*. The whole Battail amounting to 700 Men at Arms, and 17000 Commons. In the third Ward, were *Hugh* Earl of *Roſs*, *Kenneth* Earl of *Sutherland*, the Earl of *Strathern*, *William Kirkby*, *John Camron*, *Gilbert Hay*, *William Ramſay*, *William Prendegeſt*, *Criſpin Hard*, *William Gordon*, *Arnold Ward*, *Thomas Duplin*, with 40 Knights new dubb'd, 900 Men at Arms, and 15000 Commons. In the fourth Ward of the Army of *Scotland* were, the Lord *Archbald Douglas* Commander in Chief, the Earl of *Lennox*, *Alexander Bruce* Earl of *Carrick*, *John Campbel* the Son of the brave and loyal Sir *Niel Campbel* of *Lochow*, *Robert Sterenlow*, *William Vipount*, *Robert Lawder*, *John Lindſay*, *Alexander Graham*, *Patrick Prolleſworth*, *David Weems*, *Michael Scott*, *Thomas Bois*, *Roger Mortimer*, *William Umphraville*, *Thomas Vaux*, *William Landis*, with 30 Batchelours, 900 Men at Arms, and 18000 Commons. Beſides theſe, the Earl of *Dumbar* with 50 Men at Arms, Sir *Alexander Seton* with 100, and the Commons of the Town of *Berwick* with 400 Men at Arms, and 10800 Foot, having placed all their Hopes on the Fortune of this deciſive Battle, left the Place and joyned the *Scots* Army, which in all amounted to no leſs than 68055 fighting Men, a very conſiderable Number for ſuch a ſmall Kingdom, and but lately in a great Meaſure depopulated, according to *Engliſh* Authors (*a*), by the Loſs of four Battles, in which, as ſome of their Writers report, 60000 *Scots* were ſlain, very near as many as remained capable for Action or Defence. They add, that on this Occaſion (*b*) the *Engliſh* were far leſs numerous, ſcarcely one (*c*) againſt five, than which nothing more improbable can be alledged. For 'tis owned, that the Lord *Baliol*'s Army was alone ſufficient to form and carry on the Siege of *Berwick*, that that which was commanded by King *Edward* in Perſon was very powerful, ſo powerful, that at the Head of it, he is ſaid to have waſted and deſtroyed all the plain Country of *Scotland*, and that how ſoon he rejoyned the Lord *Baliol*, he himſelf was reinforced by a third Army from *Ireland* and *Aquitain*; ſo that we plainly ſee, that all the Forces he could well draw together from all Parts of his Dominions, were actually employed on this Juncture, and that all his Forces did amount to more than 100000 fighting Men, we are very ſure. Both his Father and Grandfather had often brought that Number to the Fields againſt the very ſame Enemy (*d*); nay, he himſelf *in Anno* 1327 had done the like, and they all three experienced that

(*a*) Echard, p. 346. (*b*) Ibid. p. 347. Tyrrel, ubi ſup. (*c*) Barnes, p. 79. (*d*) Holinſhed, p. 326.

formance of the Articles agreed to, King *Edward* required 12 Hoſtages from the Beſieged; (how he uſed them we ſhall elſewhere examine;) And, in the mean time, Sir *William Keith*, a princpal Man among the Defendants, was allowed to go and acquaint the Lord *Archbald Douglas* with the State of Affairs. That General, at the Head of the Army he had lately raiſed, had, but about a Fortnight before, come in View of the *Engliſh* Camp; but not being able to force it, nor indeed with his unequal Numbers to fight the ſuperior Enemy, tho upon even Ground, did what was practicable and prudent. He paſſed over the *Tweed* into *Northumberland*, and upon Advice, that the Queen of *England* was in the Caſtle of *Bamburgh*, he advanced towards it with great Speed, in Hopes either to ſurpriſe the Place, or to draw King *Edward* from the Siege of *Berwick* to the Relief of his Royal Conſort and ravaged Territories. For at the ſame time he detached ſuch Parties from the Grand Army, as, for 6 Days together, over-run and waſted the whole Country. This was very good Conduct, and, in all Probability, had proved ſucceſsful, had the *Scots* come earlier to the Field: But as the King of *England*'s more long and forward Preparations had enabled him to open the Campaign ſooner, ſo his well timed Progreſs through the South of *Scotland* broke their Meaſures, and kept them back, till his Work was very near done. And now he was ſure that they could neither do much Damage to the Country, nor force the almoſt impregnable Fortreſs of *Bamburgh*, he wiſely proſecuted his former Meaſures, while the *Scots* as imprudently altered theirs. Sir *William Keith* was but too ſucceſsful in the Buſineſs he went about; for, contrary both to the unerring Maxims of *Scots* Warriors, particularly of their two greateſt Champions, King *Robert Bruce* and Sir *William Wallace*, and to the Sentiment of all then concerned, he prevailed with the Lord *Archbald Douglas*, (no temerarious Youth, as *Scots* Authors repreſent him, but an old experienced General,) to attempt the Relief of one Town and Caſtle, at the Peril of loſing the whole Kingdom; and to attack a ſuperior Army poſted with all the Advantages neceſſary to protect a weaker. What Arguments he could uſe to effect this, I cannot gueſs, unleſs what all *Scots* Authors poſitively aſſert be true. If we may believe them, (and I ſhall afterwards ſhew that we may,) King *Edward* dreading the Conſequences of the Truce, broke it in the moſt ſcandalous Manner imaginable: For no ſooner had Sir *William Keith* gone out to ſollicit for Succours, but, contrary to Capitulation, he deſired that the Governour Sir *Alexander Seton* would inſtantly ſurrender, threatning, in caſe of a Refuſal, to cauſe his two Sons, who were among the Hoſtages, to be hanged in his View; or, which is the ſame thing, in Sight of the Rampiers. Nay, he barbarouſly executed what he had ſo injuriouſly threatned: And the News of

Hangs the two Sons of Sir *Alexander Seton*.

100000 *Engliſh* could be baffled (*a*) by about 25000 or 30000 *Scots*: And now he propoſed to conquer the whole Kingdom of *Scotland*, 'tis not to be ſuppoſed that he came unprepared for ſo great a Deſign. From thence I conclude, what our own Authors (*b*) aſſert to be true, that the *Scots* Army was in Numbers far inferior to the *Engliſh*. Nevertheleſs they would fight, and did it with their wonted Bravery; but to their irretrievable Loſs. For before they could get up the Hill, ſo as to give Blows, they were almoſt overwhelmed with the diſtant Shot of two great Bodies of choſen Archers (*c*), by King *Edward* deſignedly placed in the Front of his Army: In ſo much, that great Numbers were rendred incapable to fight before they could reach the Enemy. When at length they did reach him, fatigued and breathleſs as they were, it was no hard Task to bear down from the higher Ground ſuch as were foremoſt; and theſe falling back upon the following Ranks, diſordered the whole. To be ſhort, the *Scots* were entirely routed; and what added to their Misfortune, was, that their own Valets and Pages, to whoſe Care they had truſted their Horſes, becauſe unſerviceable upon ſo uneven Ground, ſeeing how Matters went, ran away upon the Spur to ſave themſelves, and left their Maſters void of Means to follow. The *Engliſh*, on the contrary, had their Horſes at Hand, and mounting them quickly, they purſued the Chace with all the Fury old Hatred and recent Victory could inſpire: Nay, ſome of them were ſo eager, that, getting before the *Scots*, they intercepted them in their Flight, and having ſurrounded them on all Sides, made an incredible Slaughter. Theſe laſt, on the other Hand, tho ſpent with Fatigue, and hopeleſs of Victory, would often rally and face about; but were always overpowered. Between 10 and 14000 were killed on the Spot, and among theſe the Earls of *Roſs*, *Sutherland*, *Carrick*, *Athole*, *Lennox* and *Menteith*, three *Stewarts*, three *Fraſers*, Sir *John Graham*, Sir *Duncan Campbel*, Sir *William Tudway*, and the General himſelf, who, on this Occaſion, gave ſuch Proofs of his Courage, as, had it not been fatal to his Country, would have ennobled his Memory. Some few were made Priſoners, particularly Sir *William Keith*, by whoſe Perſwaſion the *Scots* had ſought out and engaged the Enemy, Sir *William Douglas*, Sir *Robert Kirkpatrick*, Sir *William Campbel*, Sir *Gilbert Wiſeman*, Sir *Alexander Graham*, Sir *Oliver Sinclair*, *&c.* And all theſe, except ſuch as for Rewards the Soldiers concealed, were the next Day, by King *Edward*'s Cruelty, put to Death. So ſays *Hector Boetius*: But for this Mr. *Barnes* (*d*) gives *Boetius* the Lye; and I ſhall not ſo far reſent my Countryman's Quarrel, as to retort in the ſame Terms; tho *Boetius*, I ſuppoſe, has had his Vouchers; nor is his Aſſertion, in my humble Opinion, confuted by any thing Mr. *Barnes* has ſaid to the contrary; and what he relates

Gains the Battle of *Halidon*-Hill.

(*a*) Vid. Mart. Atchiev. Vol. 1. p. 618, 619, &c. (*b*) Godſcroft p. 58. (*c*) Barnes p. 79. (*d*) p. 79.

relates concerning the Numbers of the Slain on both Sides, I am ſure, is as unlike to be true. According to him, and thoſe Authors he follows, *The* Scots *had that Day no more Power nor Might againſt the* Engliſh, *than* (the ſublime Thought is worth noticing) *twenty Sheep would have againſt five Wolves*: And, *altho they were almoſt Five to One of the* Engliſh, *yet of theſe laſt only* 7, *and thoſe but Footmen, were killed; whereas, the* Scots *loſt in all* 8 *Earls,* 90 *Knights and Baronets,* 400 *Eſquires, and about* 32000 *or* 35000 *of their common Soldiers.* That the *Scots* were not Five to One of the *Engliſh*, but rather outnumbered by them, I think I have already evinced; That the Victors muſt needs have loſt more than 7 Footmen, or, as Mr. *Barnes* has it in the next Page, 15 Men, who can doubt? Since even that Author acknowledges, *That the* Scots *fought valiantly; That, till their General fell, they kept the Field with great Courage; and that, after the Action, they frequently gathered together in Companies to diſpute the Point with their Purſuers.* So great Efforts, yet ſo ineffectual, to me ſeem not conſiſtent. As for the Numbers of their Slain, I rather incline to heighten than to diminiſh them; and I am ſo far from being (what Mr. *Barnes* charges upon my Countrymen *Boethius* and *Buchanan*) *fearful to ſpeak an ungrateful Truth*; that, on the contrary, when by Evidences, or even Probabilities, my Reaſon is ſatisfied, and Judgment convinced, I never fail to publiſh both the Cowardice, Defection and Treachery of *Scots* Men in particular, and the ſeveral Diſaſters, Subjection, and low Eſtate of the the Nation in general; being of Opinion, that 'tis infinitely more glorious to retrieve great Loſſes, than ſhameful to have ſuſtained them. I am ſure, that all Nations have been in their Turns overcome, and that *Scotland*, a Kingdom neither opulent nor large, yet ſo often and ſo powerfully attacked by the moſt warlike People, and moſt renowned Potentates *Europe* has produced, ſhould have been once and again ſubdued, knowing Men will think no Matter of Wonder. The Miracle, or what muſt be thought next to a Miracle, is this, The Bulk and Body of the Nation, tho divided among themſelves, tho deſerted, or tricked into falſe Meaſures by ſome of their moſt eminent Leaders, tho worſted in Battles, expelled from their Habitations, over-run and conquered by the greateſt Powers in the World; yet could never by Force, or Fraud, or Subjection, or Want, be induced to bear the deteſted Yoke: They always ſought and found out, or rather, (if I may uſe ſo bold a Term,) created the Means of Delivery: I ſay ſo, becauſe theſe Means were no where viſible, but latent in, and wonderfully brought out of Souls conſcious of their own Worth, impatient of Diſgrace, enamoured with Honour, and by Loyalty inſpired. If, as *Engliſh* Authors ſay, they loſt about 35000 Men at the Battle of *Halidon*-Hill, and but the Year before no leſs than 60000 at *Duplin*, *Gladſmore*, *&c.* what

then? They retrieved even theſe Loſſes, and had thereby ſo much the more Honour, that, one would have thought, they could not ſo much as dare to attempt, what the ſurviving Few not only attempted, but effected. One Battle, that of *Pharſalia*, determined the Fate of the *Roman* Empire; another, that of *Haſtings*, brought irretrievable Conqueſt upon mighty *England*; nor did the *Engliſh*, at that fatal Engagement, loſs near ſo many of their Numbers, as thoſe above-mentioned: And for this Reaſon it is, that I can hardly be induced to believe ſo exorbitant Accounts, which may be true, but are not, in my Opinion, credible. Had about 100000 fighting Men been cut off in ſo ſhort a Time, the Nation had been not only diſpirited, but in a great Meaſure depopulated; and we ſhall afterwards find, that neither of theſe Inconveniencies fell out ſo as to be laſting. At firſt indeed, and it was no Wonder, inevitable Subjection ſeemed preſent. For,

Takes *Berwick.* The Town and Caſtle of *Berwick* immediately ſurrendered to the triumphing King *Edward*, moſt of thoſe in and about the Place ſubmitted and ſwore Fealty to him, and among theſe the Earl of *March*, tho by Commiſſion from King *David* one of the Guardians of the Kingdom; and the Lord *Edward Baliol*, at the Head of 26000 Men, took upon him to proſecute the Remains of the War: With ſuch a Force, and in ſuch a Juncture of Time, he thought, and was not much miſtaken, that to march forward and to conquer would be equally eaſy. Some Authors (*a*) ſay, (and it is moſt likely, ſince by a previous Agreement (*b*) with the King of *England* he was obliged to no leſs,) that at this time, or at leaſt a little before, he ſent to King *David*, and civilly deſired, that he would give up his Kingdom (and his Wife too (*c*) they ſhould have ſaid;) which if he did, he was in that Caſe to enjoy with Quiet and Safety, all the Lands and Inheritance of his Father and Grandfather. A generous and reaſonable Overture no doubt, but ſuch as neither that young, but ſprightly Prince, nor his Council thought fit to comply with: They rejected ſuch mean Conditions with juſt Diſdain, but finding it too hazardous, or rather impracticable, to preſerve the Royal Pair in *Scotland*, it was reſolved, that they ſhould be, with all Expedition, conveyed to, that never failing *Aſylum* of the injured, *France*. They needed not to ſend Meſſengers before-hand to ask Admittance; the Ancient League but lately renewed by (*d*) King *Robert Bruce* and *Charles* the *Fair*, the inbred Civility of the *French* Nation, and the known Generoſity of the *French* King, were aſſured Pledges of Welcome and Comfort. King *Philip*, before this Time (*e*), and indeed as ſoon as he had Advice of the King of *England*'s Deſigns, had by Letters and Intreaties ſollicited him to forbear attacking an inoffenſive Ally. But Friendly Sollicitations were miſpent upon

Edward Baliol offers diſhonourable Terms of Accommodation to K. *David*; who

Is conveyed to *France* by *Malcolm Fleming.*

(*a*) Chron. of Lanercoſt cited by Tyrrel p. 380. (*b*) Fœd. Angl. Tom. IV. p. 336, 337, &c. (*c*) Fœd. Angl. Ibid. (*d*) Vid. Vol. I. p. 616. (*e*) Fœd. Angl. Tom. IV. p. 557.

upon the predetermined Mind of King *Edward*, who ſo ſuddenly put in Execution what he had long and adviſedly deſigned, that *Philip* had really no Time to guard againſt the Storm, till his diſtant Ally was overwhelmed by it: At leaſt it would ſeem ſo, both becauſe of the ſhort Duration of the War; for a full Year was but juſt then elapſed, ſince the Lord *Baliol* commenced it, and of the great Confidence the Loyal *Scots* repoſed in the Friendſhip and Faith of the *French*. They were not diſappointed: For no ſooner did their King and Queen land at *Buloign* (*a*), whither *Malcolm Fleeming* of *Cumernald* Captain of the Caſtle of *Dumbarton*, to whoſe auſpicious Care they had hitherto been truſted, had the Honour to conduct them, but they were by the glad, and at the ſame Time ſorrowful People, received with all imaginable Demonſtrations of Reſpect and Courteſy. From thence they rode to *Paris*, where their Comfort was doubled by the charming Complacencies of that, even in thoſe Days, polite Court and glorious City. King *Philip* himſelf was remarkably hoſpitable to his Royal Gueſts; he treated them nobly as a King, and cheerfully as a Friend, offering them to command any of his Houſes or Caſtles they beſt liked to reſide in, and forbidding them to want for any Thing that was fit for Pleaſure or Uſe. Accordingly they took their Lodgings, and kept their Court in the Caſtle of *Gaillard* upon the *Seine*, and the Allowance aſſigned them towards their Entertainment, was, like the Heart of the Giver, (whoſe hitherto perhaps unprecedented Generoſity ought never to be forgotten,) truely Royal, and in all Reſpects ſuch as might have induced them to forget our rougher Climate, could they alſo have forgotten that they had loſt a Crown. The Lord *Bartholomew Burwaſh*, the then *Engliſh* Ambaſſador at the Court of *France*, was no unconcerned Spectator of King *Philip*'s Generoſity. He had but juſt then been ſent by King *Edward*, in Shew, to eſtabliſh a laſting Peace between the two Crowns, but in Reality to traverſe the *Scottiſh* Intereſt; and no Doubt, he did what he could towards compaſſing the Ends of his Meſſage. But in vain: King *Philip*, to ſay no more of the mutual Obligations he lay under to aſſiſt King *David*, had his own Reaſons to beware of the aſpiring Genius of King *Edward*. He thought it by no Means his own Intereſt to ſacrifice either the King or Kingdom of *Scotland* to the Ambition, not only of the King of *England*, but of ſuch a King as was alſo a Pretender to no leſs than the Crown of *France*; he therefore wiſely rejected the Overtures made to him by the *Engliſh* Ambaſſador, and, with no leſs Prudence, engaged King *David* and thoſe about him to make no final Agreement with *England* without his Advice and Concurrence.

And is kindly entertained by *Philip* of *Valois*.

I very well know that *Scots* Authors place this memorable Tranſaction in the forgoing Year, and ſay, that after the Loſs of

(*a*) Barnes p. 81.

the Battle of *Duplin*, and Coronation of the Lord *Baliol*, King *David* and his Queen were conveyed to *France*: Nor are they so juſt to the Memory of the Lord *Malcolm Fleeming*, who waited on them thither, as to mention that valuable Piece of Service he did them; nor to that of the generous King *Philip*, as to particularize his uncommon Civilities and early Succours: Nay, which is more ſurpriſing, they as little knew where their own King and Queen reſided, while in *France*, as at what Time they went to it. To convince them of their Error in this Point, I need but repete what Mr. *Barnes* (*a*) has judiciouſly obſerved. In his Opinion, as in mine, " It neither ſeems honourable nor reaſonable, that by ſo " weak, tho' ſucceſsful an Enemy, as the Lord *Baliol* at firſt was, " and at the Appearance of ſuch ſmall Forces as he brought a- " long with him, the reigning King ſhould have been driven to " ſo deſperate Meaſures: Nor is it agreeable to other, either " Circumſtances, or Authors; and it is utterly contradicted by " *Froiſſard*, who lived near thoſe Days, and took great Care, " and was very impartial in collecting his Hiſtory. *Froiſſard* was a Citizen and Chanon of *Liege*, and therefore not to be ſuſpected of any great Byaſs againſt, or in Favour of *Scotland*. He lived ſo near to thoſe Days, that he was not only contemporary with King *David*, but known to him. For he tells us himſelf, that he was once at that Princes Court, and that he paſſed ſome Days at *Dalkeith*, by Conſequence he was not ſo like to miſtake Things, or to miſplace Tranſactions of this Kind, as *Boethius*, *Buchanan*, *Leſly*, *&c.* Authors not born till ſome hundreds of Years afterwards, and otherwiſe ſo inexcuſably negligent, that 'tis plain the two laſt have only copied after the firſt, (and the firſt equally regardleſs of even modern Records) for to the more ancient ones he could not have Acceſs, and unacquainted with foreign Hiſtorians, eſpecially the *Engliſh* ever more Chronological and Circumſtantiate than the *Scots*, made it his only Buſineſs to put into Form the indigeſted Writings and unchronological Traditions of thoſe dark and incorrect Ages to which he ſucceeded. Hence that prodigious Crowd of groſs Errors and enormous Falſities he unluckily ſtumbled upon, and laid in the Way to *Buchanan*, who failed not to improve them to what he chiefly deſigned, the Depreſſion of Monarchy and Defamation of Sovereigns. This I have already had, and ſhall afterwards have but too frequent Opportunities to evince. In the mean Time to put the preſent, by far leſs material, Debate out of all Doubt, I ſhall only remind my Reader, that, on the 22d of *November* 1332 (*b*), and (*c*) afterwards on the 12th of *February* 1333, the Lord *Baliol* obliged himſelf under his Hand and Seal to take to Wife *Jean* the Siſter of *Edward* King of *England*, whoſe Marriage had been celebrated, but it was thought not conſummated with King *David*; as alſo to provide for the Entertainment of

King

(*a*) p. 72. (*b*) Fœd. Angl. Tom. 4. p. 336, 337, &c. (*c*) Ibid. p. 548.

King *David* himſelf, by Advice of the King of *England* and his Council. Now I humbly conceive, that the King of *England* would have required neither of theſe Obligations from him, if King *David* and Queen *Jean* had been already conveyed to *France*, and by Conſequence out of their Reach; nor would what we are told by *Froiſſard* be true, that King *Edward*, before he drew his Army to the Fields, ſent Ambaſſadors to require Allegiance and Fealty from King *David*, who with equal Wiſdom and Vigour rejected the Overture; much leſs, that the Lord *Baliol* himſelf, juſt before, or immediately after the Siege of *Berwick*, ſent to the ſame King *David*, and offered him the private Eſtate of his Family, provided he would reſign the Crown, yet, as I have already related, Authors of very good Credit have told us ſo. 'Tis therefore unqueſtionably true, that King *David* did not leave *Scotland*, till the *Scots* his Subjects, after the ſignal Overthrow they had ſo lately received at *Halidonhill*, were abſolutely incapable to preſerve his Perſon, much leſs to ſupport his Dignity. And I here cannot but take Notice of the Loyalty of the *Scottiſh* Church in thoſe Days. All the Prelates of the Kingdom, ſays *Walſingham* (*a*), (he means the Biſhops, Abbots, and Priors of religious Houſes) left their Livings and native Soil, and either accompanied their exiled King to *France*, or went to the Court of *Rome* to complain of, and ſue for Redreſs of the Injuries done him, to the Pope. A notable Proof, that as yet the Clergy were not tainted with rebellious Principles. And I muſt do them the Juſtice to obſerve, that from the firſt Eſtabliſhment of the Chriſtian Religion in *Scotland*, till, now I mean, the Reign of King *David*, nay, not till long after, I no where find the leaſt Veſtige of the reſiſting Doctrine among us: On the contrary as in this Reign, ſo in the preceeding, 'tis plain, that had not Church-men done their Duty, that is, inviolably adhered to their rightful Sovereign, and ſtrenuouſly aſſerted the Independency of their Country, both domeſtick Uſurpation and foreign Tyrrany muſt needs have prevailed That ſome of them, when conquered by Force of Arms, did take Oaths to the Conquerors, is no Matter of Wonder: They muſt otherwiſe have abandoned their Churches to foreign Intruders, and ſuffered their Flocks to be ſeduced into ſlaviſh Practices and poiſonous Principles. And I know not how far, what the Magiſtrates and Prelates abroad we ſee always do, when their Cities are forced to ſurrender, may be thought lawful. They ſwear to be faithful to the Power that ſubdues them, ſo long, to be ſure, as that Power ſhall chance to prevail. This their own Sovereigns permit them to do, but I am very ſure, that if the *Scots* Prelates at any Time did, or were permitted to do the like, they made the beſt Atonement for it in their Power, that, if they ſinned they repented; and that, if through Compulſion and Fear they took unlawful Oaths, they haſted to break them; than

Eminent and conſtant Loyalty of the *Scottiſh* Church.

(*a*) p. 132.

Lord *Beaumont*, ſatisfied of his own Strength and that of his Party, with great Indignation withdrew from Court to the Caſtle of *Dundarg* in *Buchan*, fortified that Place, and, by continual Excurſions of its Garriſon, ſubjected to himſelf, not only the Lands evicted from him, but alſo the adjacent Country, to which he had no manner of Title. *David Strabolgie*, the new Earl of *Athole*, did the like in that Country; and the Lord *Richard Talbot*, following the Example of his Friends, and highly diſobliged, becauſe, forſooth, his Advice had been neglected, poſted away with a great Number of his Countrymen and Attendants to *England*; but was attacked on the Way by a Party of the Loyaliſts, ever intent upon all Occaſions of Advantage. Many of his Foot, and 6 of his Men at Arms were killed on the Spot, and he himſelf was taken and carried a Priſoner to the Caſtle of *Dumbarton*. By the Deſertion and Contumacy of theſe great Men, the Lord *Baliol* very well ſaw, what a precarious Sovereign he muſt needs be, that has no better Title to ſupport him than the Inclinations of a domineering Party, never pleaſed but when abſolute Maſters of whatever their Ambition or Avarice has a Mind to: He found, that the Laws of the Land, and even his own Will, muſt be ſubſervient to the Paſſions of that imperious *Junto*, on whoſe Counſels and Power he ſo much depended; the rather becauſe moſt of them were *Engliſhmen*, particularly the Lords *Beaumont* and *Talbot*, and he knew not but the King of *England* might think fit to reſent their Quarrel. He therefore recalled the Sentence formerly pronounced in favour of Sir *Alexander Moubray*, who thereby became honeſt, as is ordinary to Patriots out of Place, continued the Lord *Beaumont* in Poſſeſſion of the Lands he had ſeized, promiſed to ranſom the Lord *Talbot* at any Rate, and appeaſed the Earl of *Athole*, I mean *David Strabolgie*, (for he is ſo called in all Records *Scottiſh* and *Engliſh*, tho *Scots* Authors, by Miſtake, give him the Sirname of *Cumin*,) by a Grant of the many and large Poſſeſſions belonging to *Robert*, the Great Stewart of *Scotland*.

The Lord *Talbot* made a Priſoner by the *Scots*.

That young and gallant Prince, the Grandchild of King *Robert Bruce* by his eldeſt Daughter, and conſequently the preſumptive Heir of the Crown, was, for that very Reaſon, eagerly ſought out, and doomed to die: But Providence took care of his precious Life, and preſerved him for the mighty Things laid up, both for himſelf, and, (as all honeſt Men wiſh) his endleſs Poſterity. He was, for a Time, diſpoſſeſſed of all his Inheritances in *Bute*, *Arran*, *Cuningham*, *Kyle* and *Renfrew*; but his Perſon was preſerved in the Caſtle of *Dumbarton*, whither he made a Shift to retire with imminent Danger, but great Fortune: Nor was he long ſhut up in that Fortreſs. The ſcandalous Homage ſo openly paid by the Lord *Baliol* to King *Edward*, the no leſs infamous Alienation of ſo great a Part of the Kingdom, the Diviſions of the great Men, and, more than all, the Zeal of his loyal Friends, ſoon gave him a fair

Robert the Stewart of *Scotland* doomed to Death.

fair Proſpect, not only of retrieving his own Loſſes, but alſo thoſe of his King and Country.

As *Colin Campbel* of *Lochow* (*a*), the Son of the brave Sir *Niel* of the ſame Name, was his near Relation, being, as himſelf, but lately deſcended of the Royal Family; ſo he was the firſt Encourager of his lofty Deſigns. They met (*b*) in purſuance of a previous Appointment, and ſurpriſing the Caſtle of *Dunoon* in *Kyle*, put all the *Engliſh* within it to the Sword. The Succeſs of this firſt Attempt ſo much animated the Inhabitants of *Arran* and *Bute*, that they inſtantly took Arms, fought with, and defeated the Garriſons placed in thoſe Iſlands to over-aw them, killed the Sheriff Sir *Alan Lyle*, retook the Caſtle of *Rotheſay*, and brought the Governour of it *John Gilbert* a Priſoner to their native Lord. The good Example ſet by theſe Tenents, and thoſe of *Renfrew* who did the like, was followed by almoſt an univerſal Inſurrection of the South and Weſt. *Thomas Bruce* Earl of *Carrick*, (who, as his Brother *Alexander*, about Twelve Months before killed at *Halidon*-Hill (*c*), was a natural Son of *Edward* King of *Ireland*,) and *William Carruthers* a Gentleman in *Annandale*, particularly noted for the unconquerable Averſion he had ever expreſſed to the *Engliſh* Sway, ſallyed out of their Receſſes they had retired to, and with their Vaſſals and Tenents joined the Lord *Stewart*. *Godfrey Roſs* the Sheriff of *Air* did the ſame. And what contributed much to the Strength and Vigour of the growing Party, was the Arrival of *John Randulph* Earl of *Murray* from *France*, with the welcome News that the King and Queen were in good Health and comfortable Aſſurances of Succours from the hoſpitable Monarch by whom they were ſo generouſly entertained. Theſe few Worthies repeated the Wonders of the former Reign; and now they had made themſelves Maſters of a large Tract of the Country, they thought it high Time to form themſelves into ſomething like a Government: For which End the Lord high Stewart, as young as he was, and the Earl of *Murray* were unanimouſly voted conjunct Guardians of the Kingdom. About the ſame Time the late Guardian Sir *Andrew Murray* of *Bothwel*, and *William Douglas*, (commonly called the *Flower of Chivalry*,) returned from *England* after paying a round Sum of Money for their Ranſom. The *Engliſh* were not, it ſeems, ſufficiently appriſed of their Worth, elſe they had thought no Ranſom an Equivalent for the Miſchiefs they had done to their Cauſe, and would, in all probability, repeat: For they came no ſooner Home, but they frankly ſubmitted, as it was their Duty, to the two Guardians with whom they could pretend to vye in nothing but their perſonal Merit, and as heartily beſtirred themſelves to retaliate the Injuries they had received from the adverſe Faction. The Earls of *Buchan* and *Athole*, I mean the Lords *Henry Beaumont* and *David Strabolgie*, were the two great

Is joined by Sir *Colin Campbel* and others.

Recovers a great Part of the Country.

Is made conjunct Guardian with *John Randulph* Earl of *Murray*.

Andrew Murray and *William Douglas* redeemed from Captivity.

(*a*) Crawford's Notes p. 64. (*b*) Buchan. p. 292, 293. Holinſhed p. 340, 341. (*c*) Crawford's Notes p. 62.

Objects of their Revenge. The Lord *Andrew Murray*, and Sir *Alexander Moubray*, by his late Diſappointment and conſequent Reſentment become Loyal (*a*), were ſent with a competent Number of Soldiers againſt the firſt. They beſieged him in the ſtrong Caſtle of *Dundarg*, and having reduced it, made and detained him a Priſoner till he was redeemed by Money the King of *England* lent him for that Purpoſe. Whether, when ſet at Liberty, he took an Oath (as *Boethius* ſays) never to return into *Scotland*, unleſs in King *David*'s Quarrel, I cannot tell, nor do I inquire; Mr. *Barnes* ſays the contrary, and 'tis certain, that if he did take ſuch an Oath, it was not long before he broke it. His Friend the Earl of *Athole* proved as much, if not more unconſcientious. He was vigorouſly purſued by the Earl of *Murray*, and being compelled to retire to *Lochaber*, he lurked there amongſt Rocks and Mountains, almoſt hitherto untroden by humane Feet, till at length, by Penury and Want, he was ſtarved into a Surrender of his Fortune and Perſon. Since he owned himſelf a *Scotſman*, and by his Father was really ſuch, the Guardian might in Juſtice have taken his Life, but upon the feigned Teſtimonies he gave of Repentance, and his ſwearing an inviolable Fidelity to his lawful Sovereign, he was not only pardoned, but continued in his Government of thoſe Parts.

Earl of *Athole* made Priſoner by the Earl of *Murray*.

After this Manner did the Lord *Baliol*'s Party decreaſe daily, what he himſelf was doing all the while, no Author tells us; but 'tis certain that he was for the ſecond Time expelled quite out of the Kingdom, about fourteen Months after the Battle of *Halidonhill* had for the ſecond Time put him in Poſſeſſion of it; and probable that he did not run away without receiving ſome notable Overthrow that diſenabled him to keep the Fields. Nor were the *Scots* Loyaliſts ſatisfied with their having ſo gloriouſly defeated one they conſidered as an Uſurper, and regained their own Country to their lawful Sovereign; they alſo invaded *England* this very ſame Year, and returned, no Doubt, enriched with Priſoners and Booty. Theſe are, I humbly conceive, very remarkable Occurrences, yet (ſuch is the Lameneſs of our Hiſtory) no *Scots* Author has taken Notice of them, tho 'tis moſt undoubtedly true that the mighty King *Edward* III. ſtunned with the repeated Diſaſters of his Allies and Subjects, thought fit to come in Perſon to the North of *England*, and when at *York* (*b*) in the Month of *October*, to cauſe publick Prayers to be put up to Heaven for Succeſs againſt *the arrogant Fury and Knavery of the wicked* Scots, *who*, adds he, *had treaſonably taken up Arms and committed innumerable Depredations, Slaughters*, &c. *both in* Scotland *and* England. Another Record informs us (*c*), that the Lord *Richard Talbot* was this Year made Priſoner by Sir *William Keith* and *Godfrey Roſs*; a third (*d*) that the Lord *Baliol* and his Army were forced to take up their Winter Quarters

Edward Baliol a ſecond time expelled out of *Scotland*.

(*a*) Barnes, p. 87. Tyrrel Vol. 3. p. 383. (*b*) Fœd. Angl. Tom. 4. p. 628. (*c*) Ibid. p. 639. (*d*) Ibid. p. 636.

Quarters in *England*. The Lord *Baliol* kept his Court (*a*), for the moſt part, at the Caſtle of *Ravenskelth* in *Yorkſhire*, and, no Doubt, waited from Time to Time upon the King of *England*, who (as is evident from the Date of the above-cited, and ſeveral other Records) ſtaid moſt part of the Winter in the North of *England*, ſo that *Walſingham* (*b*) is by no Means to be credited, when he tells us, that that Prince entered *Scotland* with a great Power, and relieved the Lord *Beaumont*. Indeed it ſeems that he did enter *Scotland*; for, as *Engliſh* Authors hint at a Winter Expedition he made this Year, ſo the *Scots* acknowledge (tho they do not here, nor almoſt any where elſe, condeſcend upon the preciſe Time, nay, nor ſo much as the Year of God) that (*c*) he ſent a Fleet to the *Forth*, and came himſelf with a Land Army as far as *Glaſgow*, but the firſt was diſperſed and much endamaged by a Tempeſt, and the other proved of little Uſe, by Reaſon probably of the advanced Seaſon, and becauſe the *Scots* having withdrawn to their Strengths at that Time, he found no Enemy in the Fields to oppoſe him, and could not offer to take in Fortreſſes. However he left behind him thoſe who carried on the diſtant War, and thought themſelves able to continue the Siege of the Caſtle of *Lochlevin*, which the Lord *Baliol* himſelf had commenced. Sir *John Stirling*, a very powerful Man in the Neighbourhood of *Fife*, commanded in chief the Forces employed in that Service, and had under him three Officers of Note, *Michael Arnot*, *David Weems*, and *Richard Melvill*. Theſe Captains fortified themſelves in the Church-yard of St. *Serf*, exactly over againſt the Place, and from thence eſſayed all Means imaginable to win it; but theſe within, particularly *Alan Vipont* and *James Lamby*, two Citizens of St. *Andrews*, made ſuch a vigorous Defence, that it was plain nothing but Stratagem could prevail. At length the Beſiegers bethought themſelves of the only one likely to take Effect. They ſet themſelves to damm up the Mouth of the River, where it iſſues out of the Lake by which the Caſtle is ſurrounded. By this means it was not doubted but the Water being kept in, would ſwell to a prodigious Height, and overflowing the Caſtle it ſelf, drown the Defendants. To bring this about the more ſpeedily, they turned the Courſe of a great many Rivulets and Brooks that run through the Neighbouring Country, and brought them into the ſame Lake. An ingenious Contrivance, and ſuch as had probably ſucceeded, had not Sir *John Stirling*, and a great Part of the Army with him, been unſeaſonably devout. They being too ſecure of the otherwiſe well laid Project, went, I know not upon what Occaſion, to viſit the Shrine of St. *Margaret* formerly Queen of *Scotland* at *Dumfermling*. Of this *Alan Vipount* got quick Intelligence, and laying hold on the favourable Opportunity, prepared three Boats, and about Mid-night with ſome few Soldiers of the Garriſon ſailed to the Head of the Damm, where, with fit Inſtruments they made ſeveral ſmall Holes in the

Edward III. his ſecond Expedition into *Scotland*.

A.D 1335. *Lochlevin* beſieged by Sir *John Stirling*, a Partiſan of the Lord *Baliol*.

(*a*) Tyrrel, ubi ſup. (*b*) P. 117. N. 24. (*c*) Buchan. p. 292.

Bank or Rampier that kept in the Water, then rowed back again unperceived, as when they came out. The moving Liquid having got acceſs into thoſe narrow Paſſages, enlarged them quickly, and being ſucceeded by an huge and impetuous Stream, laid up as it had been in Store for the Purpoſe, bore all down before it, overflowed the adjacent Plains, and with utmoſt Violence carried along with it to the Sea, Houſes, Tents, Armour, and even Men and Beaſts that lay aſleep regardleſs of a Storm they could not forſee, nor by Conſequence prevent. The Garriſon of the Caſtle, encouraged by this lucky Beginning ſallied out again in their Boats, and with a great and hideous Noiſe, falling unawares upon the Remainder of thoſe that had been left to keep the Camp, added to their Terror, in ſo much that theſe laſt, mindful of nothing but the Preſervation of their Lives, fled whither their Fear directed them, leaving their Arms and Ammunition to the Defence and Support of the Caſtle they had with ſo little Succeſs attacked. This Occurrence fell out, according to *Boethius* and *Holinſhed*, in *Lent* 1335; but they are contradicted by *Buchanan*, who tells us, that the Siege was protracted till *June*, when the Feaſt of St. *Margaret* (which is celebrated on the tenth of that Month,) occaſioned the Beſiegers to leave their Work, in Order to do their Devotions on the Day conſecrated to the Memory of that moſt bleſſed and glorified Princeſs. What ſeems to render his Computation the more probable, is the improbability that the Lord *Baliol*'s Party was in a Condition to beſiege Caſtles in the Bowels of *Scotland*, at a Time when 'tis certain that both he and the Groſs of his Army were in *England*. For I find, that on the ſixth of *March*, King *Edward* (*a*), after narrating that he and his Army are in *England*, grants him nevertheleſs Permiſſion to have a Conſtable and Mariſhal in it, in Order to the Puniſhment of Offences, and Obſervation of Diſcipline; a Favour the Lord *Baliol* needed not to have asked, had he been in what was called his own Kingdom. But then, if *Buchanan* be in the right, 'tis certain that the Lord *Baliol* and his Party have been egregiouſly in the Wrong, and, by their beſieging Caſtles and committing Hoſtilities, guilty of no leſs than a Breach of Faith. For,

But without Succeſs.

By the Mediation of the *French* Ambaſſadors, who came to the Court of *England*, for Reaſons I ſhall afterwards relate (*b*), a Truce was agreed to on the fourth of *April*, and was to laſt till the 24th of *June*. During this Interval of Time, ſeveral Overtures tending to a Peace, were made both by the *French* Ambaſſadors and *Scots* Commiſſioners who came to *Newark* to confer together. But theſe were nowiſe agreeable to the King of *England*, his Mind was wholly intent upon War. This was evident from the mighty Preparations he made towards the enſuing Campaign. For this Purpoſe he ſought (*c*), and no Doubt obtained a *Don gratuit* from the Clergy of *Ireland*; nay, he wrote diſtinct Letters to all the Biſhops of that Kingdom, in Number

(*a*) Fœd. Angl. Tom. 4. p. 636. (*b*) Ibid. p. 640. (*c*) Ibid. p. 641.

ber Eighteen (*a*), desiring them to send over as many Soldiers as they could raise to his Assistance; he required (*b*) the Cities and Burghs to do the like, and commanded (*c*) the Barons, in Number about 190, to come over in Person, with their Men, Horses and Arms. 'Tis not to be doubted, but that the Clergy, Nobility and Commons of *England* and *Wales* had the like Orders directed to them. Nor did King *Edward* depend wholly upon the Wealth, Numbers, or Courage of his own Subjects; he also desired, and obtained auxiliary Troops from his Allies abroad, particularly from the Earls of *Juliers* (*d*), *Namure* (*e*), and *Mountbelgard* (*f*); and we find, that these three, the two first Sovereign Princes in the *Netherlands*, and the last a great Lord in *Burgundy*, came in Person with all the Forces their Territories could afford, to share in the Glory of a Conquest they believed certain. On the other Hand, the Guardians and great Men of *Scotland* were not idle. They had also their foreign Confederates: For tho the King of *France* did not yet enter into an open War in their Favour, yet he encouraged his Subjects and Friends to serve them as effectually as if he had. He suffered *English* Ships (*g*) to be taken in the very Mouth of the River *Seine*, and Fleets to be fitted out in all the Ports of his Kingdom; in so much, that King *Edward*, alarmed with those Preparations, gave Orders (*h*) to the Seneschal of *Gascony* to fitt out all the Ships that could be found in the Harbour of *Bayone*, or elsewhere in that Dukedom, in order to oppose the great Fleet the *Scots* had procured to be sent to their Aid from abroad; he also ordered a grand Convention of Barons and others to meet at *London* (*i*), to concert Measures for preserving *England* from the Danger of a Descent; and in fine, laid an Embargo upon all the Ships above 40 Tuns (*k*) within the Kingdom, and ordered them to be manned and rigged out with all Expedition. The Commanders of the *Scots* Fleet, (for so it must be called, since no other Nation owned it to be theirs,) could not be ignorant of the Opposition they were to meet with; yet they put to Sea (*l*), tho, it seems, not till towards the End of the Summer, when they were assaulted by a fiercer Enemy than the *English* Navy, I mean, a terrible Storm, which so much shattered and mauled them, that, after being driven upon the Coasts of *Flanders*, they were fain to return home, and happy that they could do it. Some Authors, and Mr. *Barnes* in particular, have placed this Attempt, (the first made by *France* in favour of King *David*,) some two or three Years sooner; but it appears from the Records I have cited, that he must be in a Mistake.

The French send a Fleet to the Assistance of *Scotland*.

The *Scots* had been, at the first opening of the Campaign, as little able to resist the mighty Power with which King *Edward* in-

(*a*) Fœd. Angl. Tom. IV. p. 642. (*b*) Ibid. p. 645. (*c*) Ibid. p 643, 644. (*d*) Ibid. p 652. (*e*) Ibid. p 654. (*f*) Ibid. p. 667. (*g*) Ibid. p. 652. (*h*) Ibid. p. 656. (*i*) Ibid. p. 658. (*k*) Ibid. p. 664, 665. (*l*) Tyrrel Vol. 3. p. 384.

Edward III. his third Expedition into *Scotland.*

vaded their Country, as their Fleet proved afterwards, in oppoſition to the Tempeſt that ruined it. For how ſoon the Truce was expired, that Prince, regardleſs of what either the Pope's Nuntio (*a*), or the *French* Ambaſſadors, or the *Scots* Commiſſioners had offered to bring him to Reaſon, marched at the Head of an Army of 50000 Men, ſay *Scots* Authors, (I am ſure they ſpeak within Bounds) to *Newcaſtle*, whither the Lord *Edward Baliol* came to him from *Carliſle*. They agreed to paſs the Borders with two diſtinct Armies on the ſame Day, the 12th of *July* (*b*), and did it accordingly; while, at the ſame time, a Fleet of 160 Sail appeared upon the Coaſt. So vaſt a Power could not but be terrible to *Scotland* at any time; much more now, when the Kingdom was not only ſplit into two Factions, but when the reſiſting Party was, by ſeveral concurring Circumſtances, unhappily weakened. The Earl of *Athole* had lately quarrelled with the Lord *William Douglas*, and was more diſpoſed to betray, than to fight for the Cauſe he had unwillingly embraced. *John* Lord of the *Iſles* revolting from his Allegiance, had ſet up for a Sovereign, no doubt, in Right of ſome of his Anceſtors; who, as the Lords of *Man*, had been by neighbouring Princes, called Kings. But, what was worſt of all, one of the Guardians of the Kingdom, the Lord High Stewart, was, by Sickneſs, detained from the Fields; ſo that the Earl of *Murray*, with thoſe few Patriots I have often named, muſt alone ſuſtain the unequal Shock. And what could they do in ſo deſperate a Conjuncture of Affairs and Time? Indeed they did more than could have been expected from Men: They gave Way at firſt to the Torrent it was in vain to oppoſe, and wiſely retired to their wonted Receſſes, thick Forreſts, inacceſſible Mountains and ſtrong Fortreſſes; but in ſuch Order, and with ſo much Prudence, that lying ſtill upon the Catch, they very much haraſſed and plagued the ſuperior Enemy. Thus, the great King *Edward*, meeting with ſo inconſiderable Oppoſition, marched through the Country at it were in Triumph; and, ſay *Engliſh* Authors, *purſued the flying* Scots *as far as beyond* Cathneſs, *which was farther than his Grandfather had ever reached.* The Lord *Baliol*, on the other Hand, laid Siege to *Cambermouth*, a Caſtle belonging to the Earl of *Athole*; but had not probably taken it, at leaſt not ſo ſoon as he did, had not a Fire raiſed by chance, or from without, in the very Heat of an Aſſault, compelled the Defendants to yield, together with all their Ammunition and Proviſions laid up for a long Time, elſe they had all periſhed in the Flames, or been put to the Sword. And here, the Lord *David Marſhal*, his Lady, the Widow of the Lord *Archbald Douglas*, and the Wife of Sir *Philip Moubray*, were made Priſoners. This Succeſs, (Mr. *Barnes* ſays, the want of Oppoſition,) heightned the Courage, or rather the Fury of thoſe *Welſhmen*

John of the *Iſles* revolts from King *David.*

The Lord *Baliol* takes *Cambermouth*

(*a*) Tyrrel p. 384. (*b*) See Mr. Barnes p. 94, 95, 96, &c. Tyrrel Vol. 3. p. 385, 386, &c. Buchan. p. 294, 295. Holinſh. Boet. Leſly, &c. in vit. Edw. Baliol & Reg. Dav.

Welſhmen that ſerved under the Lord *Baliol*. They ſpared neither Religious Perſons nor Places, but burnt and maſſacred wherever they came. The Mariners of *Newcaſtle*, who, with Part of the Fleet, entered the River of *Tay*, were much of the ſame Temper; they ſet Fire to the Town of *Dundee*, and laid the moſt part of it in Aſhes. At the ſame time, *John* Lord *Darcy* Juſtice of *Ireland*, ſailed with a Fleet of 56 Ships, and moſt Part of the *Iriſh* Nobility on board of them, to the not very diſtant Iſlands of *Arran* and *Bute*; both which he laid waſte, and was afterwards rewarded for this Piece of Service with the Mannors of *Rathwar* and *Kildalk*. The Grand Fleet, that ſailed from *England* with Proviſions and Ammunition to the Army, had not ſo good Succeſs. The Forces on board of it imitated the Mariners belonging to *Newcaſtle*, that is, they burnt and deſtroyed all the open Towns and Burghs on both Sides of the *Forth*; and, what in thoſe Days was, and, (I humbly conceive,) juſtly thought no leſs than a Sacrilege, they rifled the Monaſtery and Church which were dedicated to the Memory of St. *Columba*, in the Iſle of *Emona*, or *Inchcolm*, carrying away the moſt coſtly Veſtments uſed by Churchmen in the Time of Divine Worſhip, and thoſe other Ornaments, which, by adorning the Altars, inſpired Reſpect and Piety, as was then believed, into the People, and gave Splendor and Majeſty to Chriſtian Duties, ſuch as ſilver Candleſticks, Chalices, Statues of Saints, *&c.* But, as themſelves thought, Heaven took care to vindicate its own Rights, and quick Juſtice purſued the Crime: For a ſudden Tempeſt ariſing in the Midſt of a Calm, drove the Ships from their Anchors, and diſperſed and ſhattered the whole Fleet; in ſo much, that ſuch of the Sailers as got ſafe from the raging Storm, being ſtruck with Remorſe and Terror, not only brought back what they had robbed from the Church, but, by voluntary Preſents, enriched the Monaſtery: An Atonement ſome of the preſent Age will be apt to conſider as the Effect of Superſtition and Credulity; how juſtly I do not determine: But, I am ſure, they were in the Right, were it for no other Reaſon, but becauſe they had acted againſt their own Conſciences, and dared to profane, what in their own Judgments, was ſacred and holy. This Misfortune of the *Engliſh* at Sea was attended by ſome others on Land: A conſiderable Detachment of their grand Army, conſiſting of 500 Archers, and I know not how many Footmen (*a*), was attacked by the Guardian *John Randulph* Earl of *Murray*, *Patrick Dumbar* Earl of *March*, (whoſe Compliance with, and Submiſſion to the Lord *Baliol*, was but forced, and therefore of ſhort Continuance,) and by Sir *William Douglas*, with that Conduct and Vigour; that the Enemy was entirely cut off. The ſame Commanders, together with *Alexander Ramſay*, a Gentleman of an eſtabliſhed Reputation for his often tried Gallantry and Conduct, but till of late unluckily engaged

The Lord *Darcy* invades *Scotland* from *Ireland*.

Engliſh Fleet diſtreſſed.

A Party of the *Engliſh* cut off.

Sir *Alexander Ramſay* deſerts the Lord *Baliol*.

(*a*) Knighton cited by Barnes p. 96.

in the adverſe Faction, went on in the Proſecution of new Laurels, and won them upon a very remarkable Occaſion (*a*). They had Advice, that *John* the young Earl of *Namure*, (*Scots* Authors, by Miſtake, call him the Earl of *Guelder*) with his Brother Sir *Robert*, a noble Retinue of Volunteers from beyond Seas, a choice Band of 100 Men at Arms, and a great many others, both Foreigners and *Engliſh*, was on his March from *Berwick*, in order to join King *Edward* at *Perth*: Wherefore they reſolved to waylay him, and the two Parties met on the *Burrow-Moor* hard by the City of *Edinburgh*. The Onſet made by the *Scots* was ſudden and fierce, and the Reſiſtance made by the *Namurois* was reſolute and ſtrong. They ſtood their Ground with undaunted Bravery, and it was hard to tell for whoſe ſide Victory would declare, till by the Arrival of Sir *William Douglas*, who haſted from the *Pentland* Hills to the Aſſiſtance of his Countrymen, ſhe fixed on that of the *Scots*; yet not ſo fully, but that the Foreigners made an orderly Retreat to *Edinburgh*; they faced about ſeveral Times, as Occaſion offered, or Neceſſity required, particularly as they entred St. *Mary*'s Wynd: And here a *Scots* Knight, Sir *David Annand*, a Man of incredible Strength and no leſs Courage, having received a Wound from one of the Enemy, was thereby ſo much exaſperated, that, at once exerting all the Vigour of his unwearied Arms, he gave his Adverſary ſuch a Blow with an Ax he had in his Hand, that the ſharp and ponderous Weapon clove both Man and Horſe, and falling with irreſiſtible Force to the Ground, made a laſting Impreſſion upon the very Stones of the Street. This Story may ſeem a little too romantick to be believed, and I would not have related it, had I not cited a very good Voucher, *John Fordon*, who flouriſhed in 1360, not long after it happened. From thence I conclude, that the like Actions, aſcribed to Sir *William Wallace* by Blind *Hary* and others, tho almoſt incredible, may be true. However, the valiant Strangers made the beſt of their Way to the Caſtle of *Edinburgh*, or rather to the Rock on which the Caſtle, then entirely demoliſhed, had ſtood. When there, they killed their own Horſes, and made a ſort of a Rampier of their Carcaſes, with a Reſolution to defend themſelves to the laſt Man. Perhaps they looked for ſpeedy Relief from the grand Army, and would not yield while they had the leaſt Reaſon to hope; yet, after having lodged but one Night in that inacceſſible Poſt, deſtitute of all the Neceſſaries of Life, they offered the next Day to capitulate; and the *Scots*, unwilling to drive ſo brave Men to the utmoſt Deſpair, and knowing that the low Eſtate of their Country required them to be frugal of their own Perſons, accepted the Conditions offered; which were, that they ſhould yeild themſelves Priſoners of War. Accordingly they laid down their Arms, and ſubmitted to Fortune; but ſuch was the Generoſity or Policy of the Earl of *Murray*, that,

Sir *David Annand* his great Strength.

Earl of *Namure* defeated and made Priſoner by the *Scots*.

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(*a*) Fordon cited by Holinſh. p. 341. Barnes, Tyrrel, Echard, Buchan. &c. loc. cit.

out of regard, as he ſaid, to the perſonal Merit, and near Affinity of the Earl of *Namure* to the King of *France*, he preſently reſtored him and all his Followers to their Liberty without Ranſom. He did yet more, for he would needs convey that Prince to the Borders himſelf: But as this Compliment was too great, ſo it was ill timed; for, as he returned, he fell into an Ambuſh laid for him by the Garriſon of *Roxburgh*; and being made a Priſoner, had not the good Luck to fall into the Hands of ſo generous an Enemy, as he had but juſt then expreſſed himſelf to be. The Soul of the mighty King *Edward* was not ſo great as his Name: Never was any Prince honoured with ſo many illuſtrious Priſoners as he. Indeed he uſed them, for the moſt part, well, when in his Power, but he always made them pay dear for the Charges he was at towards their Entertainment. The Earl of *Murray* was, by his Orders, conveyed from Caſtle to Caſtle; nor was he relieved, till after a tedious Confinement of ſeveral Years, he found Means to anſwer the Expectations of that intereſted Monarch.

Earl of *Murray* made a Priſoner by the *Engliſh*.

I had almoſt forgot an Occurrence, not unworthy to be taken Notice of, that fell out at the Engagement near *Edinburgh*. Among the Bodies of the Slain, that of a Woman extremely beautiful, but of more than ordinary Stature, was found. She had been obſerved in the Beginning of the Action to advance forward from the Ranks of her fellow Soldiers, and not only fought with, but by fair Dint of Sword overthrew one *Edward Shaw* a *Scots* Eſquire: She followed her Blow and laid about her with amazing Vigour, till at length ſhe having advanced too far, and her Company being unable to reſcue her, ſhe was overpowered and killed. Becauſe ſhe was thus abandoned to her ſingle Courage, it was thought, that they of her own Party, were, as the *Scots*, ignorant of her Sex: But why ſhe thus expoſed it to the Hardſhips and Hazards of War is ſtill a Doubt. Perhaps it was Love (by whoſe alluring Charms the ſevereſt Torments are ſweetned) that drew her after the Object of an irreſiſtible Paſſion; perhaps ſhe was naturally of a martial Diſpoſition, and being conſcious of unuſual Strength, had a bizarre Deſire to imitate the ancient Viragoes or *Amazons*: But, be this as it will, *her indiſcreet Obſtinacy to the Death*, ſays Mr. *Barnes*, *when retreating, was not inglorious, ſhewed her unwiſe, and too much a Woman.*

The Loſs ſuſtained by the *Engliſh* in that of the Earl of *Namure*, was, about *Lammaſs*-tide, made up by a conſiderable Reinforcement of the Forces of *Yorkſhire* and *Northumberland*, commanded by *John* of *Eltham* Earl of *Cornwall*, King *Edward*'s Brother, and of thoſe of *Cumberland* and *Weſtmorland*, under the Conduct of the Lord *Anthony Lucy* of *Cockermouth*. Theſe two Generals did all the Miſchief they could in their March through *Galloway*, *Carrick*, *Kyle*, *Cuningham*, and generally all the Weſtern Parts that held out againſt the Lord *Baliol*. The brave Sir *William Douglas*, with certain Troops of light Horſe, coaſted them all the Way, and took

John of *Eltham* Earl of *Cornwal* ravages the Weſt of *Scotland*.

all the Advantages poſſible of an Enemy he durſt not fairly engage. 'Tis owned that they ſuſtained ſome Loſs, but they ſay that it was inconſiderable, and that at laſt Prince *John, with his little hoſt*, paſſing by *Lennox*, *Menteith*, and *Strathern*, *came laden with Spoil and Prey to St.* Johnſton, *where the King of* England *his Brother, lately returned thither from his victorious March* to *Cathneſs*, then was. That March which was, what it is called, *Victorious*, at leaſt in Appearance, the great Reinforcements ſent to King *Edward* from *England* and *Ireland*, the Captivity of the Earl of *Murray*, one of the Guardians of *Scotland*, and the Sickneſs of his Collegue the Lord High Stewart, occaſioned (ſay *Engliſh* Authors) (*a*) *moſt of the* Scottiſh *Nobility* (a plain Falſhood, as will inſtantly appear), to come in and ſubmit to the Conqueror. 'Tis true that that hereditary Rebel, *David Strabolgy* Earl of *Athole*, *Alexander Moubray* who had lately revolted to King *David*, becauſe he was diſobliged by the Lord *Baliol*, and only four more to be found upon Record, did it; and, which was more, took upon them to act in Name of the Lord *Robert Stewart*, who may perhaps have commiſſioned them to treat (and why ſhould he not?) but never approved of the Treaty they made. It was to this Effect,

Treaty of *Perth* agreed to by King *Edward* and ſome few *Scots*.

" That the Earl of *Athole*, and ſuch others as were willing to
" come to the King of *England*'s Peace, ſhould have a general Amneſty
" or Indemnity for all Offences committed in *England* or *Scotland*
" from the Beginning of the World till that Time, and enjoy all
" the Lands and Tenements, Fees and Offices, which they ought
" by Right to have in *Scotland*: That the Earl of *Athole* and the
" Lord *Alexander Moubray* ſhould ſtill hold theſe Lands, Tene-
" ments and Fees in *England*, which they held at their De-
" parture from *Newcaſtle*, when they paid Homage to the King:
" That the Mannor of *Bulindon* ſhould be reſtored to the Earl of
" *Athole* upon his making Payment of the Sum of 200 *lib.* for
" which it was pledged: That as to his Caſtle and Lands of *Chil-*
" *ham*, and the Lands claimed by him in *Norfolk*, he might ſue
" for them at Law, and the King would take care that Juſtice
" be done: That, if in any Caſe any Man ſhould ſurmiſe Treaſon
" upon the ſaid Earl, he might defend himſelf with his Body; ac-
" cording to the Laws and Cuſtoms of *Scotland*, and of the Bor-
" ders: That Sir *William Ramſay* ſhould make Satisfaction for the
" Treſpaſs he had done to the Lord *Montague*, in beating down his
" Caſtle of *Hawthornden*, in ſuch Manner as ſhould be by the Kings
" of *England* and *Scotland* deviſed: That the Lord *Euſtace de*
" *Lorrain* ſhould have the Lands and Tenements belonging to
" him in *Scotland*, and if any Man had treſpaſſed againſt him, he
" ſhould have his Recovery by Law. In fine, that the Franchi-
" ſes of the Kirk of *Scotland*, and the Laws of *Scotland* in Burrows,
" Towns and Sheriffwicks, ſhould be maintained inviolable, and
" the

(*a*) Murimouth, Stow, Knighton, Walſingham, cited by Barnes, p. 98. and Tyrrel, Vol. 3. p. 286.

" the Offices of *Scotland* be adminiſtred by Men of the ſame Nation, " yet ſo as that the King of *Scotland* might by his Prerogative Roy- ". al, when he thought fit, advance Strangers to Places of Truſt. From the whole Tenor of this Record, which bears date at St. *Johnſton* 18th *Auguſt* 1335, 'tis evident, that it was no National Treaty, but only a ſeparate Peace made by a few perjured Rebels for their private Intereſt; and ſince neither the great Stewart, nor any other Perſon, ſave thoſe five or ſix, who from the Beginning had been deeply engaged in the adverſe Faction, are ſo much as mentioned in thoſe Articles, nor did at any Time take the pretended Benefit offered by them; 'tis plain to a Demonſtration, that they would not acquieſce in ſuch an agreement: And Mr. *Barnes* might have ſaved himſelf the Labour of Apologizing for a Fault the Great Stewart did never commit. Both that Author (*a*) and Mr. *Tyrrel* (*b*) further add from their Country-man *Knighton*, that at the ſame Time, or rather the next Year, the greateſt Part of the *Scottiſh* Nobility, tired out by the continual Haraſſings and Devaſtations of the *Engliſh*, yeilded to King *Edward* as to their Superior and direct Lord, and to the Lord *Baliol* as their immediate King; but with this *Proviſo*, that upon the Death of this laſt without Heirs of his own Body, (and he had as yet none, nor was likely to have) King *David* ſhould ſucceed him in the Throne, and that in the mean Time both King *David* and his Queen ſhould have a Royal Maintenance in *England*, whither they undertook that he ſhould come and appear at the next Parliament. That ſuch Propoſals as theſe were made by the *Engliſh*, and talked of among the *Scots*, I do not at all doubt; but that they were rejected with Indignation and Scorn, is as unqueſtionably true; and Mr. *Tyrrel* is ſo juſt to own, that he has great Reaſon to believe *Knighton*, who is the only one Author that mentions this Article, to be in a Miſtake. *Yet certainly*, adds he with a great deal of Ingenuity, *It is a much greater Miſtake in* Doctor Brady, *in publiſhing to the World a Charter of Homage, ſuppoſed to have been about this ſame Time granted to King* Edward *of* England *by* David Bruce *for the whole Kingdom of* Scotland, *and that with the Advice and Conſent of the three Eſtates of the Kingdom in Parliament at* Edinburgh. This Inſtrument is ſaid to be dated the firſt of *November*, in the fifth Year of King *David*'s Reign: Now, as Mr. *Tyrrel* very well obſerves, all Hiſtorians, both *Engliſh* and *Scots*, are agreed, that King *David* went over to *France* in 1332, or 1333 at fartheſt, that is, either in the third or fourth Year of his Reign, (for he began it in *July* 1329) and that he did not return to *Scotland*, nor by Conſequence hold Parliaments at *Edinburgh*, nor elſe where, till above eight Years after the Date of that Paper, which therefore muſt be ranked among thoſe other Counterfeits of the like Nature, that ſuch Villains as *Harding* have had the impudence to forge, but wanted the Wit to contrive ſo as not to be detected by

King *David* falſly ſaid to have granted a Charter of Homage to the King of *England*.

(*a*) p. 99. (*b*) Vol. 2. p. 387, 388.

Men never ſo little acquainted with Honour, or converſant with Books. I return to the Hiſtory.

After King *Edward*, with immenſe Charges, and no ſmall Loſſes by Sea and Land, had over-run all the open Defenceleſs Parts of the Kingdom, and made a mighty Noiſe in the World, as if the Majority of it had ſubmitted to his conquering Arms, when in reality he gained nothing thereby, ſave that a few Renegadoes (for Men, ſuch as the Earl of *Athole* and *Alexander Moubray*, ſo often perjured, deſerve to be ſo called) returned to their Infidelity, I ſay, after King *Edward* had triumphed in vain for ſome Time, in the Defenceleſs Parts of *Scotland*, he ordered ſome of them to be fortified, to over-aw at leaſt a People he could not ſubdue. With this View he ſtrengthned the Town of *Perth*, or St. *Johnſton* with Ramparts and Foſſees; then going to *Stirling*, he built a ſtrong Fortreſs called the *Pile*, on the Plat of Ground where the Caſtle had formerly ſtood; from thence proceeding to the Caſtle of *Bothwel*, he put a ſtrong Garriſon into it, appointing it to be victualed from *Edinburgh*. He alſo rebuilt the Caſtle of this laſt Place, and committed it to the Cuſtody of Sir *John Stirling*, afterwards a Baron of *England*. This done, he thought fit to return to his own Territories about the end of *Autumn*, but did not, (as *Scots* Authors generally ſay,) take the Lord *Baliol* along with him. On the contrary, he left both him and the pretended Earl of *Athole* with what he thought ſufficient Forces to put a glorious End to the Campaign. But he was miſtaken: That Nobleman having now obtained a full Pardon from the King of *England* for his former Revolt to the Loyaliſts; in Regard, as the Act of Indemnity has it (*a*), that what he had done amiſs was extorted from him by Compulſion and Fear of Death, ſet himſelf with great Zeal and Forwardneſs to reduce by Force thoſe brave Men that ſcorned to be comprehended with him in the ignominious Treaty he had made. To effect this, he marched North to the Caſtle of *Kildrumy*, on the River *Don*, which he inveſted and attacked with great Vigour, but upon Advice that the Earl of *March*, the Lord *Andrew Murray*, and Sir *William Douglas* were at hand, and deſigned at once to puniſh his Breach of Faith, and to relieve the Caſtle, he raiſed the Siege, in Order to give Battle. Both Armies joyned in the Forreſt of *Kilblain*, and ſuch an Encounter enſued, as might well be expected from Friends, juſt then become Enemies. It was inexpreſſibly fierce, but the Match was unequal, for the *Engliſh* were in Number 3000 effective Men, and the *Scots* but 1100, who therefore were like to be enveloped, when Sir *John Craig* the Captain of *Kildrumy* Caſtle, ſallyed out of it, and with 300 freſh Men falling all on a ſudden, with great Fury and a hideous Clamour, upon the Backs of the Enemy, ſoon put them in Diſorder, and, ſays *Walſingham* (*b*), ſtruck them with ſuch Terror, that they all fled from their Chiftain but

Battle of *Kilblain* won by the *Scots*.

(*a*) Fœd. Angl. Tom. 4. p. 664. (*b*) p. 113.

but 13, who were determined to die by his Side. It is certain, that the Earl did all that could be expected from a brave Man that ſcorned to flee, and knew he muſt die, either ſhamefully upon a Scaffold, or honourably with his Sword in his Hand: At length he was killed by Sir *Alexander Gordon*, and with him Sir *Robert Bradie* and Sir *Walter Cumin*, whoſe Brother Sir *Thomas* being taken alive, was the next Day condemned to loſe his Head. Some few eſcaped to the Caſtle of *Canemore* with the Captain thereof *Robert Menzies*, but, for want of Proviſions, were ſoon after obliged to ſurrender. This Victory had two Conſequences, the Reduction of almoſt all that theſe of the *Engliſh* Faction had ever poſſeſſed in the North of *Scotland*; and the Extinction of the Houſe and Sirname of *Strabolgie*: A juſt Judgment of God upon the two laſt Earls of *Athole* of that Sirname, who, by their pertinacious Adherence to the Enemies of their Country, had ſo much contributed to its being ſo often brought almoſt to Ruin. I ſay, that the two laſt Earls of *Athole* were of the Sirname of *Strabolgie*, and I have innumerable Records to vouch the Aſſertion, tho all *Scots* Authors, (I know not through what Miſtake,) give them the Sirname of *Cumin*. The great Honours conferred on them by the Kings of *England*, and the large Poſſeſſions they acquired in that Kingdom, were, no doubt, the Occaſion of their unnatural Behaviour towards their native Country: For *David Strabolgie* Earl of *Athole*, was, at his Death, ſeized (*a*) of at leaſt 10 Baronies lying in different Counties of *England*. He fell in the 28th Year of his Age, and left behind him another *David*, his Son and Heir, by his Lady *Catharine Beaumont*, Daughter to the pretended Earl of *Buchan*, Lord *Henry Beaumont*. What came afterwards of this Son, I know not; but 'tis certain, that, as he never enjoyed the Inheritance of his Family in *Scotland*, ſo, by reaſon of his Nonage, (for he was at this Time but three Years old,) and, becauſe it held Ward of the Sovereign, the Lord *Baliol* conferred a Part of it, particularly the Lands of *Lochaber*, upon *John* Lord of the *Iſles*, who was to poſſeſs them till the Majority of the Heir. It ſeems, this *John* of the *Iſles* has been a Man of great Power and no ſmall Abilities, but an Enemy to the *Brucian* Intereſt; for at the ſame time (*b*) he had a Grant of the Lands of *Kintyre*, *Knapdale*, *Kenalbaldon* and *Ardinton*, the Iſlands of *Gith*, *Galwouche*, *Mule*, *Skye* and *Lewethy*, together with Half the Iſland of *Dure*; for all which, he obliged himſelf to moleſt and annoy, by all Means poſſible, the *Enemies of* Edward *by the Grace of God King of* Scotland, took his Sacrament upon it, and an Oath upon the Chalice and Maſs-Book; promiſing beſides, that how ſoon he ſhould have Children, he would give them as Hoſtages and Pledges of his Performance. The Indenture, which paſt betwixt the Lord *Baliol* and him to this Purpoſe, bears Date at *Perth* the 12th of

Earl of *Athole* killed by Sir *Alexander Gordon*.

John Lord of the *Iſles* enters into an Agreement with the Lord *Baliol*.

(*a*) Dugd. 2 Vol. p. 96. (*b*) Fœd. Angl. Tom. IV. p. 711.

September 1335, and ſhews the double Miſtake of *Scots* Authors, who ſay, that the Battle of *Kilblain* was fought on the laſt Day of *December*, and that the King of *England*, being apprehenſive, leſt the Lord *Baliol* might, in his Abſence, pretend to act like a Sovereign with Independency, took him back to *England* before the Campaign was ended.

The open Revolt of *John* of the *Iſles*, and conſequently that of moſt part of the Iſlanders and Highlanders his Friends and Vaſſals, was ſuch an Acceſſion to the Strength of the Lord *Baliol*, or rather of King *Edward*, and ſuch an Incumbrance upon the Loyaliſts, that 'tis hardly to be gueſſed to what Places theſe laſt could retreat in time of Danger, or by what Means they could ſubſiſt, or upon what Grounds they could ſo much as hope to retrieve their Affairs. Did I not bring undeniable Evidences, *Engliſh* Authors and *Engliſh* Records, for all I write, I ſhould fear, that the preſent degenerate Age (I have Reaſon to call it ſuch with reſpect to former ones) would arraign me for inventing as many Fables, as I have related Matters of Fact. In good earneſt, who would believe, that *Scotland*, betrayed by a ſtrong *Junto* of its Nobles, depopulated by the Slaughter of ſo many Thouſands of its Inhabitants, dejected by the Loſs of ſo many Battles, impoveriſhed by the Armies of Friends and Foes, in their reſpective Turns over-running it, rent and ſplit in Pieces by the Alienation of its beſt Provinces, and the Revolt of its hardieſt Men, and every Summer attacked by Sea and Land, by a Prince, in all Reſpects, one of the greateſt, if not the very greateſt in the World; who, I ſay once more, in this debaſed degenerate Age, would believe that *Scotland* ſo ſtated, would not have bowed under the Weight of but one of theſe Preſſures? I do not ſee, what it was that could ſupport her, but the goodneſs of her Cauſe, the unconquerable Averſion of her Inhabitants to Slavery, their incomparable Loyalty with reſpect to their King, and the Hopes of ſpeedy Relief from the King of *France*. 'Tis probable, that that Monarch ſent, from time to time, Supplies of Ammunition and Money towards their Encouragement, and certain, that both he and the Pope never ceaſed to uſe all Means poſſible, ſave that of an open War, to bring about an amicable Accommodation. For, as often before, ſo lately, while King *Edward* lay encamped at *Perth* (*a*), the *French* Ambaſſadors preſented him with Letters from his Holineſs, preſſing him to a Peace with King *David*, and requeſting his Company in the Holy War; but he told them plainly, *That he would undertake no foreign Expedition, till he had ſubdued his Enemies the* Scots. A brave and reſolute Anſwer, in in the Opinion of *Engliſh* Authors: But then he was, in all humane Probability, Victorious, and would have continued to ſpeak the ſame Language, had not his great Hopes been allayed by his after

(*a*) Barnes p. 97. Echard Book 2. p. 349.

after Loſſes. This is evident from his naming Plenipotentiaries (*a*), on the 1ſt of *November*, very ſoon after the Battle of *Kilblain*, to treat about a Peace with Sir *Andrew Murray*, now again, for his great Deſerts, made Guardian of *Scotland*, in the Room of the Earl of *Murray* a Priſoner in *England*. Eight Days after this Nomination (*b*) a ſhort Truce was agreed to by both Parties, which, at the Requeſt of the Pope and King of *France* (*c*), was renewed from time to time, and did not finally expire till the Feaſt of the *Aſcenſion* of our Lord, that is, till about the Middle of *May* 1336. And 'tis remarkable, that one of the Conditions of this Truce was (*d*), That the *Scots* ſhould raiſe the Sieges they had laid to the Caſtles of *Lochindown*, and *Cowper* in *Fife*. A Demonſtration, I take it, that, notwithſtanding the incredible Efforts King *Edward* had made laſt Summer towards a happy Campaign, or rather an entire Conqueſt of *Scotland*, and the apparent Succeſs he had in the Beginning; the Blood and Treaſure of his Subjects, as well as the Time he employed in, (what *Engliſh* Authors call,) one of his glorious Expeditions, were miſpent. If it was a glorious Expedition, it was ſuch only to the *Scots*, who, we ſee, in Defiance of all he could do, gained Battles, reconquered Provinces, beſieged Fortreſſes, and forced him both to acquieſce in a Truce, and to treat about a Peace.

Sir *Andrew Murray* of *Bothwel* a ſecond Time made one of the Guardians of *Scotland*.

Makes a Truce with *England*.

While the firſt laſted, ſeveral Attempts were made towards effecting the ſecond; and Plenipotentiaries were named by both Parties. Thoſe ſent from *Scotland*, were (*e*) Sir *Andrew Murray*, Sir *William Keith*, *Robert Lawder* and *William Douglas*, to whom, and to 40 Horſes in their Retinue, a ſafe Conduct was granted; and another (*f*) to *Alexander* Biſhop of *Aberdeen*, *John* Abbot of *Cowper*, *John Monipenny*, *&c.* who, with the like Retinue of Fourty Gentlemen on Horſeback, were ſent by King *David* from *France*: But their Endeavours proved ineffectual. Wherefore the Campaign 1336 was opened on both ſides, as ſoon as the Truce came to be expired. The *Scots* had by this time received conſiderable Supplies (*g*) of Men, Money and Ammunition from *France*, and King *Philip* had declared, that he would ſupport them to Purpoſe. Being encouraged by theſe good Offices, they reſolved to act offenſively, and to take in ſome ſtrong Places before the grand Army from *England* could be drawn together. Accordingly they beſieged and took the Caſtles of St. *Andrews* and *Bothwel*: Then dividing their Forces, inveſted thoſe of *Stirling* and *Lochindores*. *Stirling* was in thoſe Days almoſt impregnable; it had once baffled a Royal Army commanded even by King *Edward* I. and another Time held out againſt the ſame King *Edward* during the Space of full three Months, notwithſtandiag it had been blockaded the whole Winter before; and now the *Engliſh* Gar-

A.D. 1336.

The *Scots* encouraged by Supplies from *France*.

Act offenſively.

(*a*) Fœd. Angl. Tom. IV p. 674. (*b*) Ibid. p 675. (*c*) Ibid. p. 676, 681, 685, 690, 691. (*d*) Ibid. p. 690, 691. (*e*) Ibid. p. 677. (*f*) Ibid. p. 685. (*g*) Barnes p. 102, 103, &c. Tyrrel Vol. 3. p. 389, 390, &c.

riſon defended it with great Vigour, the rather becauſe they had Aſſurances of ſpeedy Relief from the Lord *Baliol*.

That Prince, together with the Lord *Henry Plantagenet*, the Earls of *Warwick* and *Oxford*, and, no doubt, all the *Scottiſh* Noblemen and Gentlemen of his Faction, was already come to St. *Johnſton*; and no wonder, ſince all the South Parts of *Scotland* were, at the time, in their own Hands. King *Edward* followed them ſoon after in Perſon, and his Arrival determined thoſe before *Stirling* to double their Diligence, and to give a general Aſſault to the Place: They did it with incredible Fury, but in vain; the Breach was not wide enough, and the Aſſailants were repulſed with Loſs. Among the Killed Sir *William Keith* was the moſt eminent: He it was, who, (as *Engliſh* Authors tell us,) by his too great Forwardneſs to fight, occaſioned the Overthrow at *Halidon*-Hill; for which Reaſon, they give him the Character of a valiant, but raſh Commander. Upon the Death of that gallant Gentleman, and the News of King *Edward*'s Approach, the Earl of *March* and the Lord *William Douglas* thought fit to raiſe the Siege, and retreat to ſuch Places, as, together with their own Numbers, Courage and Conduct, ſecured them againſt all the Power that Monarch was capable to raiſe. In the mean time, the Siege of the Caſtle of *Lochindores* was carrying on, and the Place had been taken, had not the Lady *Catharine Beaumont*, the Widow of the late Earl of *Athole*, who was ſhut up within it, wrote preſſing Letters to King *Edward*, praying that he would haſten to her Relief. To effect this, as well as to ſtrike Terror into the Hearts of the *Scots*, that Prince, at the Head of his mighty Army, marched through *Athole* and *Murray*, as far North as *Elgin* and *Inverneſs*; and having by this Means relieved the Caſtle of *Lochindores*, he returned through *Buchan*, and after burning the Town of *Aberdeen*, and laying waſte all behind and before him, came again to *Perth*. From *Perth* he marched to *Stirling*, and from *Stirling* to *Bothwel*, carrying Deſtruction and Deſolation wherever he came. But his Cruelties came far ſhort of thoſe committed by his Brother *John Plantagenet*, Sirnamed of *Eltham*, the Place of his Birth. That young Prince, at the Head of an Army raiſed in the North of *England*, invaded the Weſtern Parts of *Scotland* this Year, as he had done the laſt, but in a more hoſtile Manner, probably becauſe the Inhabitants, after his Departure, had revolted to their natural Sovereign. As he paſſed through *Galloway*, *Carrick*, *Kyle* and *Cuningham*, he put all he met with to the Sword; nay, he inhumanely burnt the Church of *Leſmahago* (*a*); and in it a Thouſand harmleſs Perſons, who thought themſelves ſecure, becauſe in that Sanctuary; in ſo much, that even King *Edward*, diſpleaſed with theſe Barbarities, and provoked by ſome diſreſpectful Expreſſions, drew his Sword in a Paſſion, and killed him in the Church of *Perth*, adding, *That an Altar ought*

Edward III. his 4th Expedition into *Scotland*.

Sir *William Keith* killed.

Death of K. *Edward*'s Brother.

(*a*) Extract. e Chron. Scot.

ought not to be a Sanctuary for one that had by Fire and Sword violated both Altars and Churches. So ſays our Country-man *Boethius* (*a*), but I believe he was miſinformed by vulgar Reports, and am ſatisfied with the Arguments Mr. *Barnes* has made uſe of to evince the contrary: Tho, to ſay the Truth, the moſt convincing one he mentions is abſolutely falſe: For he ſays, that *King* Edward *was not in* Scotland *at the Time of Prince* John's *Deceaſe.* He had ſaid before, that he died *in the latter End of* October; and it appears from Records, which neither Mr. *Barnes*, nor (I think) any Body elſe in his right Wits will diſown, that King *Edward* was at *Falkland* in *Scotland* (*b*) on the 5th of *October*, and (*c*) at *Stirling* on the ſixth of *November* this very Year 1336, nay, and at *Bothwel* (*d*) on the 11th and 15th of *December* following. From thence I beg leave to conclude, that, tho Authors are but too frequently obliged to contradict and confute one another, yet they ought to be very well appriſed of what they advance, before they venture to ſay as Mr. *Barnes* does in this Place, (*e*) that *the Lye is too apparent.* An ill natured Writer, you ſee, might be tempted to retort.

While King *Edward* was over-running the Low-lands of *Scotland*, ſome Propoſals were again made towards a Peace, for which End he not only named Plenipotentiaries (*f*) to treat in his Name, but granted ſafe Conducts to the *French* Ambaſſador (*g*) *Pierre de Neville*, and to (*h*) *Adam* Biſhop of *Brechin*, *Walter Moffet* and *Garcenet Biſſet*, who were ſent from *France* by King *David*, to negotiate for him. King *David* was now but about fourteen Years of Age, yet was thought capable of very great Matters; a Proof, that God Almighty, through his Wiſdom and Goodneſs, for the moſt part, forms the very Nature of Sovereigns for Rule and Government, and that he endowes them from their Infancy with thoſe Qualifications, which are in others the Product of aged Experience and painful Study. King *David*, I ſay, was but fourteen Years old, yet he not only was concerned in the Management of Treaties, but thought fit to be ſet at the Head of Armies. Both he and the King of *France* found that no Arguments could prevail with King *Edward*, but ſuch as were backed by Force, and that at length the *Scots* muſt meeds be undone, unleſs aſſiſted by a powerful Diverſion. Wherefore King *Philip* (*i*) ſent an Army with Orders to attack thoſe Territories that belonged to the King of *England* in *France*, and, ſay *Engliſh* Authors, conquered, ſurprized, and plundered Towns and Caſtles in *Gaſcony*; nay, put a great many of the Inhabitants to the Sword, *without any other Reaſon, but that he vowed, as he ſaid, to take Revenge for his Friends the* Scots. At the ſame Time King *David* went to the Coaſts of *France*, where finding a Royal Navy ready to put to Sea under his Command; he

King *David* commands a *French* Fleet.

(*a*) In vit. Dav. Reg. (*b*) Fœd. Angl. Tom. 4. p. 711. (*c*) Ibid. p. 717. (*d*) Ibid. p. 721, 722, 724. (*e*) p. 107. (*f*) Fœd. Ang. Tom. 4. p. 704. (*g*) Ibid. p. 699. (*h*) Ibid. p. 707, 708. (*i*) Barnes, p. 102, 106.

The *French* make a Diverſion in Favour of *Scotland.*

gave them Orders to ſail (*a*), and made ſtraight to the Coaſts of *England*, where ſeveral Deſcents were made, particularly in the *Iſles* of *Garnſey* and *Jerſey*, and much Damage done to the *Engliſh* Merchants and Mariners; in ſo much that King *Edward*, who, when at *Bothwel*, received the unwelcome News of this the firſt Expedition made by the King of *Scots*, tho by no *Scots* Author hitherto taken Notice of, made loud Complaints to the World, as if unheard of Barbarities had been committed, and the *Engliſh* Nation in a great Meaſure affronted. Indeed King *David* was at this Time, by the Aſſiſtance of his Allies ſo much ſuperior at Sea (*b*), that, till further Advice could be taken, it was thought neceſſary to prohibit all Manner of Trade with foreign Nations, and no *Engliſh* Ships durſt ſtir from their Ports: But to obviate the like Inconveniencies in Time coming, King *Edward* iſſued out a Commiſſion, which he directed to the principal Prelates and Lords of *England*, commanding them to meet at *London* with all convenient Diligence, to provide for the Safety and Honour of the Nation, for which he declared himſelf the more concerned, becauſe, ſaid he, his Progenitors and Predeceſſors the Kings of *England*, when the like Quarrels broke out between them and foreign Potentates, were always wont to ſhew themſelves *Lords of the Sea*, and capable to force their Paſſage whither they had a mind. This Record (*c*), dated at *Bothwel* the 11th of *December* 1336, is cited by the eminent *Selden* in his *Mare clauſum*, and brought as a Proof of the Antiquity of the *Engliſh* Pretenſions to *Dominion* over the ambient Seas.

What a weighty Affair this was, and of what Importance both to the King and Kingdom of *England*, every Body ſees; nevertheleſs that Monarch thought fit but to recommend it to the Care of his grand Council, while himſelf continued in *Scotland* to manage thoſe Matters he muſt have judged to have been yet more important. What it was that detained him ſo long, I can hardly tell, only I find (*d*), that at the Charges of ſix Monaſteries, *Aberbrothock*, *Cowper*, *Lindores*, *Balmerinoch*, *Dumfermling* and St. *Andrews*, he cauſed the Fortifications of *Perth* to be repaired, that he placed *Engliſh* Garriſons in ſeveral Places of the North, particularly in *Dunoter*, *Kinef*, and *Louriſton*, that he made one *Henry Ferrar* Captain of the Caſtle of *Luchars*, *William Montague* of *Stirling*, *William Felton* of *Roxburgh*, *Thomas Uthred* of *Perth*, and the Lord *Henry Beaumont* of St. *Andrews*. This laſt had now again gotten Poſſeſſion of the Earldom of *Buchan*, and being by this Means in Power, and highly incenſed at the Overthrow and Death of his Son-in-Law the late Earl of *Athole*, he exerciſed all Manner of Cruelties upon ſuch as he underſtood to have fought againſt him at the Battle of *Kilblain*: But as ſoon as King *Edward* was gone to the South, the Guardian, Sir *Andrew Murray*

(*a*) Barnes loc. cit Tyrrel, Vol. 3. p. 393 Fœd Angl Tom. p. 722. 723. (*b*) Fœd. Angl. Tom. 4. p. 724. (*c*) Ibid. p. 721. 722. (*d*) Buchan. p. 296. Holinſh. p. 343. Boet. &c.

Murray, who had till now kept himſelf and his ſmall Army as much from Danger as was conſiſtent with Honour and Prudence, appeared in the open Fields, marched North, and with great Facility regained the Fortreſſes (*a*) of *Kinclevin*, *Dunoter*, *Kineff*, *Lauriſton*, and generally all the ſtrong Holds on that Side of the *Tay*; in ſo much that, as often before, ſo now the *Scots* Loyaliſts, with ſmall Numbers, and no great Charges, recovered in Winter, moſt, if not all thoſe Territories, their powerful Enemy had with ſo much Coſt, Labour and Bloodſhed taken from them in Summer. And thus, after four fruitleſs Expeditions againſt the *Scots*, every one of which is by *Engliſh* Authors magnified as a complete Conqueſt of the Kingdom, King *Edward* perceived that upon the main he had loſt a great deal, and gained juſt nothing at all: Upon which Mr. *Echard* (*b*) has this Reflection. *It might*, ſays he, *give cauſe of the greateſt Admiration to imagine how it was poſſible for that barren Part of the Iſle, and ſo often waſted, to breed ſo many Men as had been ſlain in Battle within theſe fifty* (he might have ſaid theſe five) *laſt Years, and yet ſtill to be able to bring Armies into the Field, both to maintain their own Conteſts, and to defend their Liberties, and that poor Ground they inhabited.* This prodigious Reſiſtance perſwaded the politick, tho much offended, King *Edward* to try once more, if by any Means poſſible he could prevail with the King of *France* to forbear concerning himſelf in the Affairs of *Scotland*. For I find, that in *January* 1337 (*c*), a ſeparate Treaty with the *French* Ambaſſador was ſet on Foot. But before I enter upon theſe Negotiations, without the Knowledge of which the Connection of Affairs cannot be underſtood, it will be neceſſary to look back a little, and (which, I believe, no *French* nor *Engliſh* Hiſtorian, much leſs the *Scots* have yet done,) to give a true and impartial Account of another Quarrel that broke out at this Time between *England* and *France*, in all Reſpects much like to that I have dwelt ſo long upon between *Scotland* and *England*. I ſhall avoid Prolixity as much as I can; *Engliſh* Authors and Records ſhall be my principal Vouchers; and when I have done, I hope no Reader inſtructed in the Rules of Hiſtory will think that I have digreſſed.

Sir *Andrew Murray* recovers the North parts of *Scotland*.

Philip le Bel King of *France* died in the Year 1327, and left the Queen his Widow big with Child (*d*), whether Male or Female was uncertain, but if a Male, ſure to ſucceed to the Throne as ſoon as born. Wherefore the Kingdom ſtood in need of a Regent in the mean Time, and two Competitors pretended to the high Truſt, *Edward* III. King of *England*, and *Philip* Count of *Valois*; the firſt, becauſe by his Mother *Iſabella*, the Nephew of the deceaſed Monarch; the laſt, becauſe by his Father, tho not the neareſt in Blood, (he was but Couſin German to *Philip le Bel*), yet the preſumptive Heir of the Crown. *Philip* was preferred, and owed his Elevation in a great Meaſure to the affectionate Zeal and good Con-

The Title of the King of *England* to the Crown of *France* what it was.

(*a*) Extract. e Chron. Scot. (*b*) p. 349. (*c*) Fœd. Angl. Tom. 4. p. 731. (*d*) Traitez d'entre les Roys de France, & d'Angl. p. 210.

Conduct of his Brother-in Law *Robert d' Artois*, a Prince of the Blood royal. Not long after, the Queen was brought to Bed of a Girl, and all Parties were agreed, that by the Fundamental Constitution of *France* ſhe had no Pretenſions to the Succeſſion. This Conſtitution is founded upon the *Salick* Law, a Law unalterable, as thoſe of the *Medes* and *Perſians* are, at leaſt never altered, or in the leaſt encroached upon by the *French* Nation to this Day, nor indeed by ſome great Families (*a*) in *Germany*, from whence the *French* derive their Origination. This was what even King *Edward* did not diſown: If he had, he had thereby given up his Claim, and by his own Confeſſion cut off himſelf. For if Women could have ſucceeded, he was precluded by no leſs than three (*b*), *Jean*, *Margaret* and *Blanch*, all alive at the Time, and all, becauſe the Daughters of the three laſt Kings of *France*, *Lewis Hutin*, *Philip le Long*, and *Charles le Bel*, by one Degree nearer to the Crown than his Mother, who was but the Siſter of theſe Monarchs. He therefore acquieſced in the *Salick* Law, yet he pretended to the Crown of *France* in right of his Mother. How ſo? Becauſe, ſaid he, by that Law, tho Women, by Reaſon of the Infirmities of their Sex, be debarred from the Priviledge of Nature, (he durſt not ſay, unjuſtly, ſince then he muſt have approved and diſproved it at the ſame time) their Heirs Male are not, nor cannot be. For this Aſſertion he gave ſeveral Reaſons, in my Opinion, very pungent and plain, but too tedious to be related. He concluded, that ſince he was the Heir Male of a Daughter of *France*, nay, the only Heir Male any other Daughter of *France* had at the Time (the three Ladies, I mentioned but now, had not yet Iſſue) and ſince he was, tho by a Woman, nearer in Blood to the Monarchs laſt deceaſed, than *Philip* of *Valois*, he ought upon theſe Conſiderations to obtain the Preference. This Argument was very like to that urged by *Robert Bruce* the Competitor for the Crown of *Scotland*, againſt *Dervegild* the neareſt Heir Female (*c*), in Preſence of *Alexander* II. a lawful King and his lawful Council or Parliament. The *Bruce*'s Plea was thought juſt, and he was accordingly preferred to *Dervegild*, and had the Conſtitution of *France* been the ſame with that of *Scotland* in thoſe Days, I know not if he would, but I dare ſay, he ought in Reaſon to have been preferred even to the immediate Daughters of *France*. Nor did he urge more in Oppoſition to thoſe Ladies, than the ſame *Bruce* (*d*) afterwards not only urged in Oppoſition to Queen *Margaret* a Daughter of *Scotland*, but was actually acquieſced in by his Grandſon when King, who generouſly poſtponed his own Daughter *Marjory* to his Brother the Lord *Edward*. But what fell out to the *Brucian* Family, I doubt would have alſo fallen out to the Perſon or Poſterity of King *Edward*. One, or perhaps all theſe Ladies might have had Heirs Male, as *Dervegild*, and they, as the *Baliols*

(*a*) Ibid. p. 213. (*b*) Vid. Barnes, p. 753, 755. (*c*) See Mart. Atch. of the Scot. Nat. Vol. 1. p. 627, 628, &c. (*d*) Ibid. p. 632, 633, &c.

Baliols, would not have failed, when of Age and in Power, to reclaim the Preference which their Mothers had loſt, becauſe of their Sex and Children's Nonage, or Nonentity. Hence had enſued an endleſs Competition, againſt which the *French* pretended, that their wiſer Conſtitution had effectually guarded their Kings and Country. They poſitively aſſerted, what neither the *Scots* nor *Engliſh* could, that by their *Salick* Law not only all Women, but all their Deſcendants, whether Males or Females, I mean ſuch Deſcendants as derived their Right only from Women, were for ever excluded from the Throne of *France*. To prove that this was the genuine Senſe of the Law, they appealed to the beſt Interpreter of it, Cuſtom, unaltered ſince the Monarchy had a Being. There was ſo much Strength and Solidity in this Way of Reaſoning, that nothing ſo ſolid could be offered againſt it, but contradictory Precedents; and King *Edward* inſtanced in two (*a*): For, ſaid he, King *Pepin* the Father of *Charlemaign*, (by whom King *Childeric* III. and laſt of the *Merovian* Race was depoſed,) claimed the Crown of *France* as Heir general, being deſcended of *Blithildis* Daughter of King *Clotaire* I. And *Hugh Capet*, (who, upon the Death of *Lewis* V. uſurped the Throne, which was challenged by *Charles* Duke of *Lorrain*, the only Heir-male of the Line of King *Pepin*, or *Charlemaign*,) to make his Title good, aſſerted his Deſcent from the Lady *Lindgardis* Daughter of King *Charles* the *Bald*, the Grandchild of *Charlemaign* by his Father *Lewis* the *Debonaire*. This is ſo true, added he, or his Lawyers for him, that *Lewis* IX. Sirnamed the *Saint*, becauſe he deſcended in a direct Line from the Uſurper *Hugh Capet*, could never be throughly ſatisfied in his Conſcience, that he had a juſt Title to the Crown he enjoyed, till he was well informed, and at laſt fully perſwaded, that, by Queen *Iſabel* his Grandmother, he was lineally deſcended from the Lady *Ermingardis* Daughter and Heir to *Charles* of *Lorrain*, by which Marriage the Blood and Line of *Charlemaign* was reſeated upon his Throne. That *Lewis* IX. a Saint, whoſe incomparable Piety would have prompted him to lay down the moſt glittering Crown on Earth, rather than offend in the leaſt deliberate Peccadillo, may have had ſuch Scruples of Conſcience, is no Matter of Wonder, but to ſuch as know not what Conſcience is: That his Scruples were removed by a fallacious Argument may alſo be true: But it is certain, that both King *Pepin* the Author of the *Carlovegian* Race, and *Hugh Capet* the Anceſtor of St. *Lewis*, were Uſurpers; conſequently both *Charlemaign* and St. *Lewis* muſt have demitted, or deſerved the ſame Appellation; but that in their Days there were no Pretenders extant, to challenge an anterior Right derived to them by the Conſtitution of the Country, that is, in the Days of the firſt, no Heir-male deſcended of *Pharamond* was alive, nor was there any Heir-male deſcended of *Charlemaign* alive

(*a*) Barnes p. 289.

in the Days of the ſecond; in ſo much that, tho both *Charlemaign* and St. *Lewis* were lawful Monarchs, yet their reſpective Progenitors *Pepin* and *Hugh Capet* were Uſurpers, and the *French* had not a Mind to admit of a Third. For theſe Reaſons, the Peers of the Realm unanimouſly rejected, not only the remote Claim of King *Edward*, but alſo that more plauſible one of the three Ladies abovementioned, who, almoſt every where but in *France*, had Reaſon to plead that of *Numbers* (*a*), *If a Man dye, and have no Son, ye ſhall cauſe his Inheritance to paſs unto his Daughter*; and, interpreting their *Salick* Law in the ſtricteſt Senſe that could be, ſet the Royal Diadem upon the Head of *Philip de Valois*, who, by his Father *Charles* of *Valois* (*b*), was the undoubted Heir-male of King *Philip* the Son of St. *Lewis*. This was, in the Opinion of *Engliſh* Authors (*c*), *to cloak Iniquity with the Colour of Juſtice.* If ſo, with what Front can the ſame Writers pretend to excuſe the moſt outragious War, carried on by this ſame King *Edward*, his Father and Grandfather, againſt the *Brucian* Family, whoſe Title was, by a lawful King, and the Equivalent of a lawful Parliament, founding their Deciſion upon the immemorial Cuſtom of *Scotland* and the Senſe of its People (*d*), declared preferable to that of *Dervegild?* What Colour of Juſtice can they plead for this ſame King *Edward*'s ſetting up for the *Baliols*, becauſe the Son and Grandſon of *Dervegild*, when at the ſame time he pleaded the very ſame Argument brought by the *Bruce*, in order to their Excluſion, againſt three immediate Daughters of *France*? None, I humbly conceive, unleſs we ſhall ſuppoſe him prediſpoſed to deſcend from the Throne, how ſoon it ſhould pleaſe God to give an Heir-male to any of theſe Princeſſes. A Suppoſition, I am ſure, whoever is capable of allowing, muſt be endued with uncommon Belief, and with Charity beyond Example extenſive.

All the Potentates in *Europe* very readily acquieſced in the Deciſion of the Peers of *France*; the neighbouring Sovereigns ſent Ambaſſadors to the new King to congratulate his Acceſſion to the Throne, and the Vaſſals of the Crown paid him their wonted Obeyſance. King *Edward* alone was a little backward in the Performance of what King *Philip* conſidered as a Duty. To be ſhort, the former (*e*) was legally ſummoned in the Year 1329, to make his perſonal Appearance at the Court of *France*, and there to do Homage to the latter for his Dukedom of *Aquitain* and Earldom of *Ponthieu*. The preſent Circumſtances of both Kingdoms, (that of *England* was as yet a little unſettled, and that of *France*, by reaſon of a late Overthrow given to its Enemies the *Flemings*, triumphant,) forced a ſpeedy Complyance from King *Edward*. He went over to *France*, and in the City of *Amiens* performed the Homage required, but in an haughty Manner, with his Crown on his Head, his

(*a*) Cap. 27. ver. 8 (*b*) Barnes p. 755. (*c*) Ibid. p. 757. (*d*) Mart. Archiev. Vol. 1. locis citat. (*e*) Barnes P. 34, 35, 36, &c.

his Sword by his Side, and Spurs of Gold on his Heels: Whereas, he ought, ſaid the *French*, to have laid all theſe aſide, and to have pronounced the uſual Words upon his bended Knees, holding his Hands either between the Knees of the King of *France*, or the Hands of his Great Chamberlain. But to this Act of Humiliation King *Edward* would by no Means deſcend, till he ſhould by *Engliſh* Records, be aſcertained that his Anceſtors Kings of *England* had done the like. When returned from beyond Seas he found that they had, and the *French* Ambaſſadors never ceaſed threatning to ſeize upon his *French* Territories, till they had obtained Letters patents under his Broad Seal, containing a full and ample Ackowledgment of his being, as Duke of *Guienne* and Earl of *Ponthieu*, *Liegeman to his Lord the King of* France, and a Promiſe of *Faith and Loyalty to him*. He did this, to be ſure, with a great deal of Reluctancy, and ſpun out ſo much Time in doing it, that, after King *Philip* had cauſed him again to be ſummoned (*a*), he proceeded to Hoſtilities, and ordered his Brother the Earl of *Alenzon* to beſiege *Xaintes* the Capital of *Xaintogne* in *Aquitain*; which was accordingly done. King *Edward* was at this time, (*Anno* 1330,) meditating a War againſt *Scotland*, and had already made his Bargain for that Purpoſe with the Lord *Edward Baliol*: And this was one good Reaſon, why he thought it not fit to come to a Rupture with *France*: He therefore pretended a Voyage of Devotion to viſit ſome holy Places in that Kingdom: But in reality went thither a ſecond Time, in order to bring about a ſolid Peace. His Preſence had the deſired Succeſs; for, by a new Treaty made in *July* 1331, the Town and Caſtle of *Xaintes* were reſtored to him, together with 30000 *Lib. Tournois* for his Intereſts and Damages.

By this Means King *Philip* got free, as he thought, of an uneaſy Competitor for no leſs than the Throne he had aſcended; and King *Edward*, as he thought, of an Enemy capable to thwart his more probable and better laid Project, with reference to *Scotland*. Whether, upon conquering this laſt, he deſigned at the Time to reſume thoſe Pretenſions he now ſo ſolemnly laid down, God only knows; one Thing I am ſure of, (tho' contradicted both by *Engliſh* and *French* Authors) when he did reſume them, he did it unwillingly, at leaſt much ſooner than he had a mind. His Thoughts were henceforth ſo very much bent upon the Buſineſs in hand, I mean the Conqueſt of *Scotland*; and his Arms, tho' often victorious, yet were upon the main ſo unſucceſsful in that Country, that for ſeveral Years he would hearken to nothing that could divert him from thence. If he had a View to *France*, 'twas only to find out Means of ſetting King *Philip* in his Intereſt, or at leaſt, of laying him aſide. But that was impoſſible: King *Philip* kindly received, and gave royal Entertainment to the Perſon and Court of his *Enemy and Rebel*, as he called him, King *David*; ſolli-

(*a*) Barnes p. 43, 44, &c.

ſollicited his Neighbours, and encouraged his Subjects to aſſiſt that injured Monarch with Men, Money, Proviſions and Shipping; and, no doubt, ſent ſuch private Supplies to the *Scots* Loyaliſts, with whom he ever kept an open avowed Correſpondence, as contributed very much towards enabling them to perform thoſe Wonders I have related. But, ſince by the ancient League, and more particularly by the late Treaty his Predeceſſor *Charles* the *Fair* (*a*) and King *Robert Bruce* had agreed to, he was bound to make open War upon *England*, *as often as required by the King of* Scots, it may be thought Matter of Admiration, that he did it no ſooner. All that can be ſaid in his Vindication, is, that it ſeems he was not required to break entirely with King *Edward*, ſo long as there were Grounds to hope that Prince might be prevailed upon by the gentler Method of Negotiation: And that there were ſome Grounds given them to hope for this, the Treaties by the Mediation of the Pope and King of *France* ſo frequently ſet on foot, are undeniable Evidences. I have mentioned thoſe Treaties, as they came in my Way of Courſe, but have delayed till this more convenient Place, to give an Account of the Overtures made, and Reaſons why they were rejected. To lay theſe intricate Matters, the hidden Sources of thoſe great Events I am about to relate, as open as poſſible, it is neceſſary to remind my Reader of what I elſewhere had Occaſion to obſerve, That, in thoſe Days the *Chriſtian* World being united within it ſelf, with reſpect to Principles of Religion, was animated with a Zeal no leſs active in oppoſition to the *Mahumetans*, than is in our Days expreſſed by the different Sects of *Chriſtians*, in oppoſition to one another. But I have ſhewed, that the Zeal of our Anceſtors was not inconſiſtent with Equity and Juſtice (*b*); they had to do not only with *Saracens* and *Turks*, avowed Enemies to the Croſs of *Chriſt*, but with ſuch *Turks* and ſuch *Saracens*, as had uſurped moſt Part of the Eaſtern Empire, and in particular the *Holy Land*. All the Nations of *Europe* were infinitely deſirous to repel thoſe Infidels, and retaliate the Incroachments made by them upon the *Chriſtian* States, and thought it no leſs meritorious in the Eyes of God, than glorious in thoſe of Men, to be inſtrumental in recovering that Spot of Ground they conſidered as holy, as being the Place of the Birth, Life, Death, Reſurrection and Aſcenſion of the Saviour of Mankind. The Popes of *Rome* were all ſo earneſtly bent upon this Project, that, to bring it to a happy Iſſue, they left nothing undone: But nothing could be done to purpoſe, without the Concurrence of the two greateſt Potentates in *Europe*, the Kings of *England* and *France*. What hindred the Kings of *England*, I mean the laſt two, *Edward* I. and *Edward* II. from joining heartily in the glorious Enterprize, was the exceſſive Deſire they had to conquer *Scotland*. Hence the Partiality expreſſed by Pope *John* XXII. with reference to King *Robert*

(*a*) See Mart. Archiev. Vol. 1. p. 616. (*b*) Ibid. p. 270.

Robert Bruce and King *Edward* II. That Pontiff had never been ſo hard upon the firſt, had not the latter perſwaded him, that how ſoon the *Scottiſh* War could be ended, he would employ all his Forces in that more juſtifiable one he had vowed to undertake againſt the *Mahumetans*. At length the Pope found out his Miſtake (*a*), and made Amends for it ſo far as he could; but never ceaſed to endeavour what he firſt intended, the Reconciliation of all States in Communion with himſelf, in order to a joint War againſt the common Enemy. With this View (*b*) he laid up no leſs than 24 Millions of Gold: An incredible Sum, and ſuch as in that Age was ſufficient to raiſe and maintain ſome Millions of Men. He was ſucceeded by *Benedict* XII. a great Perſonage, who made no ill Uſe of that *ill gotten Treaſure*, ſays Mr. *Barnes* (*c*), with what Juſtice or Truth I do not enquire.

Not long after the Promotion of *Benedict* (*d*), the Kings of *France*, *Bohemia*, *Navarre* and *Arragon*, moved by Reaſons both of Devotion and Intereſt, made a royal Progreſs to *Avignon*, where the Biſhop of *Rome* for the moſt Part reſided. They were received and entertained, as it was but reaſonable, moſt ſplendidly: But, as their Mirth was allayed, ſo their Devotion was heightned by the unwelcome News, that in *Grenada*, *Pruſſia*, *Paleſtine*, *Armenia* and *Greece*, the Arms of the Infidels prevailed; that the *Africans* and *Saracens* of *Grenada* infeſted *Spain*, the *Turks* *Græcia*, the *Egyptians* and *Babylonians* *Armenia*; that the victorious *Orchanes* carried all like a Deluge before him, that almoſt the whole Kingdom of *Raſcia* was over-run, and its Chriſtian King inhumanely martyred by the *Barbarians*.

The Pope endeavours to unite all Chriſtian States in a War againſt the Infidels.

Theſe diſmal Accounts ſtruck thoſe Chriſtian Worthies I have mentioned, with unſpeakable Grief; and his Holineſs willing to improve the Opportunity, went himſelf into the Pulpit, and before them preached a Paſſion Sermon, which, ſays Mr. *Barnes*, was inſinuated with ſo many pathetical Applications, exaggerated with Expreſſions ſo figurative, illuſtrated with ſo much Copiouſneſs of Language, and Variety of hiſtorical Inſtances; but above all, was delivered with ſuch Zeal, and ſhined with ſo much Truth and Sincerity, that it eaſily made its Way into the very Souls and Hearts of all preſent; in ſo much, that what thro' Piety joyned with Royal Courage, what thro' the Hopes of worldly Honour and eternal Felicity, what thro' the Confidence of ſufficient Aſſiſtance and the Feaſability of the Matter, every one was perſwaded: And firſt of all King *Philip* bravely profeſſed himſelf a Champion of Chriſt, and vowed to take upon him the Croſs. His Example was preſently followed by *John* K. of *Bohemia*, *Philip* K. of *Navarr*, *Alphonſo* King of *Arragon*, four Cardinals, and a great Number of Dukes, Earls, Barons, Knights, *&c.* Upon this the deſigned

Philip King of *France* and ſeveral others prepare for the Holy War.

(*a*) Mart. Atch. p. 638. (*b*) Odoric. Rainald An. 1330. n. 40. (*c*) p. 89. (*d*) Barnes p. 89, 90, 91, &c.

Croiſade was publiſhed thro' all Chriſtendom, to the great Satisfaction of the pious and brave. And now nothing was heard of in *Europe*, but of Preparations for the Holy War, and theſe were ſuch as *Europe* had never ſeen before, nor *Aſia* or *Africk* felt. For in the Havens of *France* alone, as many Veſſels, Ships, Carricks and Gallies were got ready, as would have ſufficed for the Tranſportation of 60000 fighting Men, with Proviſions and Ammunition for three Years. The Pope and King of *France* undertook to ſet out no leſs than 20000 Horſe and 50000 Foot, and the *Venetians* to furniſh them with a Fleet of 100 Sail: Nay, theſe laſt entered upon Action, and by a wonderful Courſe of Victory freed all the Sea Coaſts about the Iſlands of *Rhodes* and *Cyprus* from the Inſults of the *Turks*, *Tartars* and *Saracens*: Nor were the *Genoeſe* behind with the *Venetians*, nor *Hugo* the King of *Cyprus*, nor *Robert* the King of *Sicily* with either. Beſides, *Charles* the King of *Hungary* moſt readily granted to open the Paſſages of his Country to ſuch Armies of Pilgrims as ſhould think fit to march through them from *Sweden*, *Denmark*, *Germany*, &c. I ſay Armies of Pilgrims, for more than 300000 Men were ready to take up the Croſs; and yet, ſuch was the Will of Heaven, or rather the Wickedneſs of Men, all theſe mighty Preparations and moſt hopeful Appearances of glorious Succeſs came to juſt nothing. The Reaſon was this: King *Philip* the *Generaliſſimo* of the War durſt not leave *France*, unleſs accompanied by King *Edward*, and King *Edward* would not joyn in the Enterprize, but upon Condition that King *Philip* would renounce his Alliance with, and withdraw his Support from *Scotland*; in ſo much that the Injuſtice of the one may be ſaid to have preſerved the *Eaſtern* World to the *Mahumetan* Powers, and the Generoſity of the other to have drawn upon himſelf and his own Kingdom the Ruin he deſigned for the Uſurpers of the Holy Land. To make this good, I need but to go on in the Story.

Edward III. renders all the Preparations made by Chriſtendom againſt the Infidels ineffectual, and why.

It was expected that the great King *Edward* could not fail of being fired with the ſame Zeal for Religion, and animated with the ſame Ambition and Deſire of Glory, that were ſo prevalent over the Intereſts and Inclinations of other Princes: The Pope and King of *France* never doubted, but that to ſhare in the Honour of reconquering *Jeruſalem*, he would be prevailed upon to give over perſecuting his Brother-in-Law. For this Reaſon it was, that they procured ſo many Treaties to be ſet on Foot, and that King *Philip* in the Beginning of the War put on an Air of Neutrality, and afterwards ſeemed rather to permit than command thoſe Hoſtilities his Subjects committed in *Aquitain*, and at Sea. Theſe Hoſtilities were extremely grating to the King of *England*, who at length plainly perceived that he muſt joyn in the Chriſtian Confederacy, and by Conſequence relinquiſh his Pretenſions to *Scotland*, or expect that their Forces would be employed againſt himſelf. Indeed, it ſeems that the laſt Year 1336 ſome Steps had been

been made to that Effect, but that all the Confederates could not be perſwaded to go into thoſe Meaſures; for I find that he wrote Letters of Thanks (*a*) to the King of *Sicily* and Republick of *Genoa*, for hindering Gallies to be fitted out of their Ports deſigned for the Aſſiſtance of his Enemies, and that not long after he ſent to intreat (*b*) the King of *Norway* and Earls of *Holland* and *Gueldre*, that they would not ſuffer the *Scots*, or their Allies, to purchaſe Shipping within their Territories; nay, he gave out and proclaimed to the World, that the Zeal expreſſed by King *Philip* was nothing but Trick and Hypocriſy, and that the vaſt Preparations that Monarch pretended to make for the Holy War, were really deſigned againſt him a Chriſtian King (*c*). He declared at the ſame Time, that he had ever been willing to live in Amity and Peace with King *Philip*, to whom he had made ſo many fair Offers, as he thought could not have been rejected, particularly three Marriages, one between his eldeſt Son the Earl of *Cheſter* and a Daughter of King *Philip*, without requiring one Farthing for her Proviſion; another between King *Philip*'s Son and his own Daughter, to whom he was willing to give any Proviſion that ſhould be deſired; and a third between his Brother *John* Earl of *Cornwall* and any Lady of the Blood of *France*. In fine, he offered to purchaſe the King of *France* his Friendſhip with Money (*d*), as much Money as himſelf ſhould demand. He did yet more, for even to the *Scots* he offered a *quadriennial* Truce, notwithſtanding they had broken ſome former ones, and *ever ſince the perjured and ſacrilegious Tyrant* Robert Bruce *uſurped upon the Lord* Baliol, *continued to diſown his Superiority*, ſo was he pleaſed to expreſs himſelf; how unjuſtly I have already evinced. He added, that the Commiſſioners ſent from *Scotland* to treat with him, were Men ſimple and ignorant, who mockingly told him that they would conſent to no Truce at all, and that when he ſent to King *Philip* to tell him, that, if the *quadriennial* Truce was agreed to, he would accompany him to his intended Expedition againſt the Infidels. That Prince would not ſo much as give Audience to his Ambaſſadors, but plainly declared that he would defend and ſupport the *Scots* with all his Power. From all this, I humbly conceive, 'tis evident that King *Edward*, to be allowed to go on in the Conqueſt of *Scotland* which he had ſo much at Heart, would have given all the Security imaginable that he ſhould never renew his Pretenſions to *France*, by Conſequence that this unjuſtifiable deſign rendred the great Preparations made by all Chriſtendom abortive, and that King *Philip*'s Generoſity in maintaining the ancient League, and protecting an injured Sovereign, drew upon himſelf and his own Kingdom the ruinous War that enſued. Hence it follows, that both *French* and *Engliſh* Hiſtorians are very far out, when they tell us,

The *French* and *Scots* League proved to have been the only Cauſe why the K. of *England* ruined the Deſign of the Holy War, and pretended to the Crown of *France*.

R as

(*a*) Fœd. Angl. Tom. 4. p. 709. (*b*) Ibid. p. 715. (*c*) Fœd. Angl. Tom. 5. p. 160. (*d*) Ibid ubi hæc verba. Volentes vexationem redimere, ſibi pecuniam obtulimus juxta ſuum arbitrium nos donaturos.

as *Pere Orleans*, (*a*) that King *Edward* compleated the Conqueſt of *Scotland* (a plain untruth) juſt in Time to catch at the Opportunity of attempting another by far more glorious, he means that of *France*, or, as Mr. *Echard* (*b*), that King *Edward*, now experienced and renowned in Arms, deſigned not to have left *Scotland* ſo ſoon, but that he had for ſome time a far nobler Prize in View, and that was no leſs than the Kingdom of *France*, or, as Mr. *Tyrrel* (*c*), that King *Edward* was not at all diſpleaſed to hear that the King of *France* had engaged to protect and Aſſiſt the *Scots*, becauſe it gave him a juſt Occaſion for turning his Arms againſt *France*. Mr. *Barnes* (*d*) better informed, or more ingenuous, tells us plainly, that his Demands from King *Philip* were only theſe.

I. That perfect Peace and Amity between the two Kings ſhould be inviolably maintained to both their Powers.

II. That all Towns and Caſtles taken from the *Engliſh* in *Gaſcony* ſhould be reſtored.

III. That King *Philip* ſhould ſwear never to give any Aid or Succour to the *Scots* againſt the King of *England*.

What Returns he offered for theſe Conceſſions I have juſt now related from his own *Manifeſto*. They were ſo great, and King *Philip* was ſo deſirous of King *Edward*'s Company and Aſſiſtance in the Holy War, that (if we may give Credit to Mr. *Barnes* and his Vouchers) he acquieſced in the Propoſals, and ordered the Treaty to be proclaimed the next Day at *Paris*; but reflecting upon the Injuſtice of the third Article, he remanded the *Engliſh* Ambaſſadors back to Court, and told them peremptorily, "That he "could not either in Honour or Conſcience deſert the *Scots*; that "they were good Men and his Confederates; that he ought "not, would not conſider King *Edward* worthy of his Friendſhip, "while he continued to wage War againſt them; that himſelf was, "as all Kings ought to be, a Friend to Juſtice, from which he "ſhould never ſwerve, either for Affinity or Intereſt, and that in "ſhort, he would to his Power, vex and moleſt all the Diſturbers "of the Peace of *Scotland*, nor would he hearken to any Terms that "the King of *England* would or could propoſe, unleſs it was agre-"ed as a Preliminary, that King *David* ſhould be comprehended "in the Treaty, and the Lord *Edward Baliol* entirely excluded.

Philip King of *France* openly eſpouſes the *Scots* quarrel.

That this Speech was extremely gallant and generous, Mr. *Barnes* does not diſown; but, in his Opinion, it was neither modeſt enough, prudent, nor ſeaſonable: "For, ſays he, had King *Philip* "temporized but ſo far as to have obtained King *Edward*'s Com-"pany in the Holy War, the Lord *Baliol* might have been ruined by "King *David*'s Intereſt alone. Very true, but King *Edward* was not of Humour to accompany King *Philip*, unleſs a *quadriennial* Truce was agreed to with King *David's* Party in *Scotland*, and theſe laſt had no mind, either to ly four Years longer out of their Eſtates,

(*a*) Vol. 2. p. 26. (*b*) p. 350. (*c*) Vol. 3. p. 389. (*d*) p. 92.

Eſtates, (for the Enemy were Maſters of moſt part of the Low Lands,) or to be ſo long deprived of the Preſence of their Sovereign, and the warm Influences of a *Scottiſh* Court. They therefore would hear of no ſuch Truce, and, no doubt, required King *Philip* to make good his Part of the ancient League, that is, to force King *Edward* to a laſting Peace, or to make open War againſt him. But King *Edward* could by no means be prevailed upon to make Peace with *Scotland*, and by conſequence was forced upon a War with *France*.

Several Circumſtances concurred towards his Encouragement; the low Eſtate of the *Scots* Loyaliſts, his former Succeſſes and Experience in War, the hearty Concurrence of the *Engliſh* Nation, ever prodigal of their Blood and Treaſure, when expended in oppoſition to the *French*, or attended by Triumphs, tho ruinous to themſelves; the Jealouſies conceived by foreign States of the *French* Grandeur, and King *Philip*'s Deſigns; but more particularly, the continual Sollicitations of *Robert d'Artois*, the very ſame, who, as I have ſaid, had been ſo eminently ſerviceable to King *Philip* in the beginning of his Reign: But that great Lord valued his Services at too high a Rate, or *Philip*, unable to repay them, proved ungrateful. The Lord *Robert* laid Claim to the Country of *Artois*, from whence he had his Name and Title, but it was awarded by the Court from him to his Aunt *Mathilda*; and he thought, that the King ought to have over-ruled the Bench in his favour (*a*). Upon this he threatned, that *he would unmake the King by the ſame Power he had made him*: An extreme Piece of Inſolence, for which he was declared a Traytor, and forced to flee out of the Kingdom. But *Philip* carried his Reſentment too far; for could he have hindred it, he would not have allowed ſo much as a Retreat to his Enemy upon Earth, who nevertheleſs found a very ſafe and honourable one at the Court of King *Edward*, after he had by Force of Arms been driven from thoſe of *Namure* and *Brabant*. King *Edward* knew of what uſe ſuch a Man as *D'Artois*, noble, valiant, politick, reſenting and highly diſobliged by *France*, might prove to *England*; he therefore received him kindly, made him of his Council, and inveſted him with the Earldom of *Richmond*: And the Earl, to requite theſe Favours, but more to gratify his own Revenge, never ceaſed flattering the aſpiring Genius of King *Edward*, with Hopes of attaining to what he called his Birthright, the Crown of *France*: Yet, during the Space of 4 Years, (for he came to *England* in 1333) could not perſwade him to renew the Claim he had ſo ſolemnly laid down, till the favourable Juncture I mentioned but now, when King *Edward* finding that he could not proſecute the War againſt *Scotland*, without engaging in another with *France*, reſolved upon both; and to juſtify his Proce- A.D.
dure, gave out to the World (*b*), *That he had Right to the Crown*

Robert d'Artois kindles the War between *England* and *France*.

(*a*) Echard p. 350. Baraes p. 70, 71. (*b*) Echard p. 350, 351.

of France, *and would maintain it by all honourable Methods*; the rather, becauſe *England* it ſelf had been the laſt Year attacked (*a*) by a great Fleet of Ships and Gallies commanded by *David Bruce*, but in reality ſet out by *Philip*. He added, that this laſt (*b*), after denying Acceſs to his Ambaſſadors, had not only equipped another Fleet in order to a ſecond Invaſion, but had openly declared, that he would neither reſtore thoſe Places he had ſeized in *Gaſcony*, nor abandon the *Scots* his inveterate Enemies. But it was not likely that *France* could be eaſily conquered: For, ſays *Pere d'Orleans* (*c*), when more than the Half of *France* was ſubject to *England*, and *Engliſh* Monarchs domineered within two Leagues of *Paris*, the moſt warlike among them had been baffled as often as they preſumed to encroach upon the Rights of thoſe, to whom, notwithſtanding the Extent of their Territories, they were obliged to pay Homage, and ſwear *Fealty*. Theſe and the like Expreſſions uſed by the ſame Author, beſpeak him, what he was, a *Frenchman*; yet they muſt be owned to be true, and therefore King *Edward*, abundantly ſatisfied of the Difficulty of the Enterprize, ſet about it with all the Prudence and Forecaſt imaginable. He formed a terrible Confederacy of the High and Low *Dutch*, who, by the Intrigues of *Robert d'Artois*, had been prediſpoſed to enter into his Meaſures; but were abſolutely determined, by what thoſe People could never reſiſt, bewitching Gold. To bribe them he not only exhauſted the Wealth of his Subjects, but carrying both his own Crown (*d*) and that of the Queen his Wife beyond Seas, laid them in Pledge. The principal Perſons that joined with him in the League were the Emperor (*e*), the Archbiſhops of *Cologne* and *Triers*, the Dukes of *Gueldres* and *Brabant*, the Marquis of *Juliers*, the Earl of *Hainault*, the Lord *de Fauquemont*, and the famous *James d'Arteville*, a Brewer of Beer in the City of *Ghent*, but a cunning and turbulent Fellow, who firſt by his ſeditious Practices, and then by his open Revolt againſt the Earl of *Flanders* his Sovereign, was become ſo popular among the *Flemings*, that his Power was like that of the Uſurper *Cromwel*, almoſt Dictatorian. And now that King *Edward* had Advice of the Succeſs of his Negotiations beyond Seas, he put *England* in a Poſture of Defence by means of its uſual Bulwark, a mighty Fleet (*f*), which he ordered to ſail and ſeek out the Enemy, under the Conduct of *Nicolas Uſuſmaris* an *Italian* of noted Fame, and obtained great Subſidies (*g*), both from the Clergy and Laity, towards the intended War. He not only declared his Intention to aſſert his Right (*h*), but actually took upon him the Title of King of *France*; nay, he proceeded ſo far, as to appoint *John* Duke of *Brabant* and *Lorrain* his Lieutenant and Vicar-General for that Kingdom; in ſo

Edward III. forms a great Confederacy againſt *France*.

James d' Arteville a leading Man in *Ghent*.

Edward III. takes upon him the Title of K. of *France*.

(*a*) Fœd. Angl. Tom. IV. p. 721. (*b*) Ibid. p. 769, 794, 805. (*c*) Vol. 3. p. 17. (*d*) Fœd. Angl. Tom. V. p. 185. (*e*) Echard p. 350. P. Orleans Vol. 3. p. 20. (*f*) Fœd. Angl. Tom. IV. p. 769. (*g*) Ib. p. 794, 795. (*h*) Ibid. p. 818, 819.

ſo much, that, as before the King of *Scotland* was by him, his Pamphleteers and Notaries dignified with no higher Title than that of *David Bruce*, with the additional Epithet of Rebel in time of War, and of Brother, while Treaties of Peace were on foot; ſo now, he ſometimes called the King of *France* his Adverſary of *France*, and ſometimes only *Philip de Valois*. How bold a Procedure this was, and what Cauſe of Wonder it gave to the World, is eaſy to conjecture from the long and eloquent Letter (*a*) afterwards writ to him by Pope *Benedict* upon the Subject. That Pontiff complained, that he had thereby fruſtrated the united Deſigns of all *Chriſtendom* againſt the Infidels; that he had entered in a League with *Lewis* of *Bavaria*, a profeſſed Enemy to the Holy See, and an Uſurper of the Empire, and with the *Flemings*, a rebellious infidel People, never faithful to their own natural Sovereigns. He told King *Edward*, that they would prove much leſs ſo to him, and that both they and the *Germans* ſought nothing but to engroſs the Trade and Treaſure of *England* to themſelves, and that when his Coffers ſhould come to be emptied, he needed no longer depend upon the Friendſhip of Men equally deſtitute of Honour, and devoted to Intereſt. But when he came to talk of King *Edward*'s Pretenſions to the Crown, he cried out as in a Maze, *Stupent quidem qui audiunt!* But King *Edward* before this had concerted his Meaſures, and Arguments tending to break them were not to be regarded. Nay, he had already ſent a Part of his Forces to *Flanders* (*b*), and, as theſe had been at their very firſt Arrival ſucceſsful, ſo his after Attempts were attended with ſuch dazling Glories, as made his Reign the Delight of his Subjects, the Terror of his Enemies, and the Wonder of *Europe*: But being unable to ſupport the great Weight of a double War, he loſt the Aſcendant he had hitherto over the *Scots*, in Proportion to the Advantages he gained over the *French*. Theſe laſt being enervated by long Peace, Plenty and Luxury, when firſt attacked, were mere Novices in the Uſe and Exerciſe of Arms: But the former, inured to Hardſhips and Labour, equally accuſtomed to retrieve Loſſes, and improve Advantages, acquainted with Deſolation and Death, by conſequence fearleſs of both; commanded by numerous, brave and experienced Leaders, and now mightily encouraged by the powerful Diverſion that was made in their favour, they redoubled their Vigour and Diligence.

Edward III. makes War upon *France*.

The Guardian (*c*) Sir *Andrew Murray* had ended the laſt Campaign with the Reduction of thoſe Forts, which King *Edward* had garriſoned in the more northern Parts of *Scotland*: And now the Holy Days of *Chriſtmaſs* were over, (for his Men ſtaid no longer in their Winter Quarters) Advice was brought him, that a conſiderable Body of the Enemy was in the Neighbourhood. He himſelf,

Sir *Andrew Murray* gains many Victories over the *Engliſh*.

(*a*) Fœd. Angl. Tom. IV. p. 173, 174. (*b*) Echard p. 350. (*c*) Boet. fol. 320, 321. Buchan. p. 296, 297. Holinſh. p. 344, 345. Extract. e Chron. Scot.

A.D. 1337. himſelf, with the Earls of *March* and *Fife*, lay at the Time, in I know not what Forreſt of *Angus*, (my Author calls it *Platane*,) from whence they decamped immediately, and marched ſtraight to *Panmure*, where a bloody Battle enſued; 4000 of the *Engliſh* were left upon the Spot, the moſt Part Gentlemen, and among them the Lord *Henry Mountfort*. This Victory had no ſmall Conſequences; for, as it occaſioned the Caſtles of *Luchars*, St. *Andrews*, *Falkland*, and all others in *Angus* and *Fife*, (except that of *Cowper*) to ſurrender; ſo it determined the *Engliſh*, who had laid Siege to the Caſtle of *Dumbar* with an Army of 20000 Men, to ſend off two great Detachments, with Orders to keep the Victors in Play. The one was committed to the Conduct of *William Talbois* or *Talbot*, a brave Officer, but on this Occaſion unfortunate; his Men were put to the Rout by Sir *William Keith*, and himſelf having been made a Priſoner, was detained in Captivity, till he laid down 2000 Merks *Sterline* for his Ranſom. The Lord *Richard Mountfort*, (others write *Montague*,) who commanded the other Party, had yet worſe Succeſs; his Men were entirely defeated by the Bravery of *Robert Gordon* and *Lawrence Preſton*, and himſelf was ſlain in the Action.

Dumbar beſieged by the *Engliſh*.

In the mean time, the Siege of the Caſtle of *Dumbar* went on; but ſlowly: It had been rebuilt by Earl *Patrick* himſelf, at the Command of King *Edward*, after the Battle of *Halidon*-Hill, and Loſs of *Berwick* (*a*): But Earl *Patrick* had not thought fit to keep the unlawful Oath impoſed upon him on that fatal Conjuncture. He no ſooner found, that it was yet poſſible to retrieve thoſe Loſſes, but he joined heartily in ſo noble an Attempt, and recommending the Caſtle to the care of his Lady, a Woman of uncommon Zeal and manly Courage, he betook himſelf to the Fields. *Dumbar* is ſituated on the Sea-coaſt between *Berwick* and *Edinburgh*, and was therefore a great Eye-ſore to the *Engliſh*, who, tho Maſters of the adjacent Country, were plagued by the continual Excurſions and Inſults of its Garriſon. To remove this Inconveniency, the Lord *Henry Plantagenet*, *William Montague* Earl of *Salisbury*, *Gilbert Umphraville* Earl of *Angus*, *Richard* Earl of *Arundel*, the Lords *Neville*, *Percy*, *Stafford*, *&c.* aſſiſted by a numerous Army, and no inconſiderable Fleet, conſiſting chiefly of Gallies from *Genoa*, inveſted the Place on the 27th of *January*, and, notwithſtanding the Rigour of the Seaſon, carried on the Siege with great Reſolution and obſtinacy during the ſpace of ſix Months; but to their own Coſt.

The Counteſs of *Dumbar* an heroick Lady.

Black *Agnes* of *Dumbar*, (for ſo was the heroick Counteſs commonly called,) not only repelled, but derided their Efforts. She would ſometimes ſtand on the Walls, and with a white Handkerchief, wipe the Places where Stones thrown from their Engines had fallen; and once as the *Engliſh* Pioneers advanced under the Covert of a certain Machine called a *Sow*, ſhe ſaid merrily, "That

(*a*) Vide eoſdem Authores. It. Barnes p. 101, 102. Tyrrel Vol. 3. p. 395.

"That unleſs they looked well to their *Sow*, ſhe would ſoon make "her caſt her Pigs. She was as good as her Word; for ſoon after the Engine was deſtroyed. Yet the Caſtle had probably been taken, had not been for the Gallantry of Sir *Alexander Ramſay*. That Gentleman found Means to get through the *Engliſh* Fleet unobſerved in the Night, and having ſupplied the Counteſs with forty brave Soldiers and ſufficient Store of Ammunition, he improved the Opportunity ſo far, as to make a brisk Sally upon the Beſiegers, who fearing no ſuch Thing from a Garriſon reduced almoſt to the laſt Extremity, received a conſiderable Loſs by this Surprize. This done, Sir *Alexander*, whoſe Preſence was elſe where more neceſſary, made his Eſcape the next night in the ſame Manner as he had come in the Night before, in ſo much that the Enemy being weakned by continual Action, deſpaired of Succeſs, and raiſed the Siege.

Sir *Alexander Ramſay* ſuccours the Caſtle of *Dunbar*.

The *Scots* did not ſuſtain ſo much Loſs, yet were upon the main as unſucceſsful in the Attempts they made this Year upon the Caſtles of *Stirling* and *Edinburgh*. They beſieged the former, but in vain; and thought to have ſurpriſed the latter. The Manner thus. *Edinburgh* was ſtuffed with Soldiers, both *Engliſh* and *Scots*. Among theſe was one *Robert Pendergeſt*, a Man of a Spirit equally reſenting and daring: The Marſhal *Thomas Knawton* an *Engliſhman* had baſtinadoed him, I know not for what Miſdemeanor, and he had afterwards killed the Marſhal, and made his Eſcape to Sir *William Douglas*, whom he acquainted with the neglect of Diſcipline and Sloth that reigned among the Officers and Soldiers. Upon this Advertiſement Sir *William*, accompanied with a ſelect Band of good Men, came ſecretly to the Town in the Night, and put 400 of the *Engliſh*, whom he found aſleep and in Bed to the Sword: But, by this Means he alarmed thoſe in the Caſtle, ſo that if he had any Deſign upon it, it miſcarried. But, if what Mr. *Tyrrel* tells us be true (*a*), the Caſtle of *Stirling* was beſieged regularly, and attacked with ſo much Vigour, that King *Edward* was obliged to march in Perſon to its Relief. Upon his Approach the *Scots* retired, and he, after having recruited the Garriſon with freſh Men, and taken out the ſick and wounded, returned to *London*, where he was attended by thoſe Ambaſſadors he had ſent beyond Seas in Order to obtain Peace from the King of *France*; or, if that could not be had, to conclude the League I have mentioned with the *Dutch* (*b*). They gave him an Account of their good and ill Succeſs, and told him among other Things, that, as they ſailed back for *England*, they had the good Luck to fall in with two of the Enemies Ships, which they took, and found on Board of them 150 *Scots*, and among theſe the Biſhop of *Glaſgow* with ſeveral Noblemen and Ladies. That loyal Prelate had been waiting upon his Maſter King *David* in *France*, and he had obtained from the *French* Court a great Supply of Arms, Horſes

Stirling and *Edinburgh* beſieged by the *Scots*, but in vain.

Edward III. his fifth Expedition into *Scotland*.

The Biſhop of *Glaſgow* taken at Sea by the *Engliſh*.

(*a*) Vol. 3. p. 396. (*b*) Vol. 3. p. 398.

and ready Money, to the Value of 15000 *Lib.* a valuable Prize, for which the *Scots* fought long and well, but they were overpowered by Numbers, and the Biſhop himſelf having received a wound in the Head, died ſome Days after he was brought into *Sandwich*. This Misfortune was conſiderable, but nothing in Compariſon of the great Succeſſes that had elſewhere attended the Royal Party: For they had deſtroyed a great Army of the *Engliſh* at *Dumbar*, won no leſs than three Battles in one Year, and regained ſome Provinces and many Fortreſſes from the worſted Enemy; nay, they had invaded (*a*) *England* it ſelf, (probably in Purſuit of the Army that had lyen ſo long before *Dumbar*,) and done a great deal of Miſchief by Fire and plundering.

And now the Campaign was drawing to an End, both Parties being equally deſirous of Reſt, two Legates (*b*), *Pedro* Prieſt Cardinal of St. *Praxeda*, and *Bertrand* Deacon Cardinal of St. *Mary* in *Aquiro*, were ſent into *England* by Pope *Benedict* XII. in order to compoſe Differences now grown very high between the two Kings of *England* and *France*, and by Conſequence to mediate a Peace for *Scotland*. They arrived about *Martinmaſs*, and had ſo much the leſs to do, becauſe in the bygone Month of *October* (*c*), King *Edward* had already named Commiſſioners to treat with thoſe to be ſent from *Scotland*; and theſe were Sir *Alexander Seton* and *Laurence Preſton*. To be ſhort, Matters were ſo well managed, and King *Edward* had ſuch Apprehenſions of the double War he was now engaged in, that, in Order to make Way for a Peace, he agreed to a Truce both with the *French* and *Scots* (*d*), which was to commence in *February* 1338, and to laſt till the 24th of *June*. The *Scots* had their Reaſons for accepting of it, and (*e*) the King of *France* had his for rejecting it. Wherefore King *Edward* continued his Preparations with all imaginable Diligence, and being determined to go over in Perſon to *Flanders*, in order to put himſelf at the Head of the grand Confederacy, he named *Richard* Earl of *Arundel* (*f*) General, and *Gilbert de Umphraville* (*g*) Earl of *Angus*, Lieutenant General of the Army deſigned to act againſt *Scotland*. Theſe Lords accepted of the Command put upon them, and of the Plenipotentiary Power (*h*) they received at the ſame Time to bring Matters to an amicable Accommodation; the rather, becauſe the formidable Sir *Andrew Murray* of *Bothwel*, one of the Guardians of *Scotland*, was now dead. They had Reaſon, for all Authors (*i*) agree, that Sir *Andrew* was in all Reſpects one of the greateſt Chiftains in the World, and that, during the laſt two Years and ſix Months of his Adminiſtration, he had atchieved ſuch and ſo many Actions as would have ennobled the whole Life of another. But his Collegue,

Truce between *Scotland* and *England*.

A.D. 1338.

Death of Sir *Andrew Murray*.

(*a*) Ibid. p. 401. (*b*) Barnes, p. 119. (*c*) Fœd. Angl. Tom. 4. p. 820, 823. (*d*) Fœd. Angl. Tom. 5. p. 27, 28. (*e*) Ibid. p. 35, 38. (*f*) Ibid. p. 27, 28. (*g*) Ibid. p. 29. (*h*) Ibid. 30. (*i*) Buchan. p. 297. Extract. e Chron. Scot. Boet. Holinſhed, &c.

Collegue the Lord High Stewart was ſtill in being, who, tho as yet a young Man, had nevertheleſs given ſo great Proofs of his Courage and Conduct, that he alone was thought worthy to continue in the ſupreme Power, till he had compleated the Reſtauration of the King his Uncle. He was nobly ſeconded by thoſe Patriots I have ſo frequently mentioned; but more particularly by the Lord *William Douglas*. They entred upon Action as ſoon as the Truce was expired. Their firſt Attempt was upon *Teviotdale*, which the Lord *William* not only over-run, but reduced to the King's Obedience; for which Reaſon he obtained a Grant of it to himſelf and his Heirs: But he was afterwards attacked and enveloped by a ſuperior Party, under the Conduct of Sir *Thomas Barclay* at *Blackburn*, where he behaved like himſelf to Admiration well, and was one of three, who, piercing through the Ranks of the Enemy, had the good Luck to eſcape. Some write (*a*), that the Great Stewart was alſo in Perſon at this Engagement: If ſo, it may be juſtly ſaid, that Heaven, for the ſecond time, preſerved him, in a great Meaſure, miraculouſly. Sir *William* was not ſo much terrified with the Danger he had run, as to avoid unequal Combats in time to come; for ſoon after, with but 50 Men at his Back, he defeated Sir *John Stirling* at the *Craigins*, who had very nigh 500 *Engliſh* and *Scots* under his Command. Another time, with 50 Foot he attacked and vanquiſhed about Threeſcore *Engliſh* Horſe. Difficulty and Danger did but add to his Boldneſs; for about the ſame time, with a very few, he ſet upon a Wing of the grand Army of *England*: He was dangerouſly wounded on that Occaſion, yet carried off a large Convoy near *Melroſs*, which was all he deſigned. The Ammunition and Proviſions he thereby gained, enabled him firſt to take, and then to fortify the Caſtle of *Hermitage* in *Lidſdale*. In fine, after giving a notable Overthrow to Sir *Lawrence Vaux*, he encountred Sir *William Abernethy*, and was, in one Day, five Times worſted by that Officer and his more numerous Party; yet returning ſtill to the Charge, he at laſt not only defeated his Men, but made himſelf a Priſoner of War. After thoſe notable Exploits he was ſent by the Guardian to *France*, in order to inform the King of the State of Affairs, and to ask Aſſiſtance towards the Operations of the next Campaign.

The Lord *Robert* Stewart ſole Guardian of the Nation.

Sir *William Douglas* gains many Victories over the *Engliſh*.

The Lord High Stewart opened it, as ſoon as it was poſſible to form a regular Siege. The Town of *Perth*, becauſe of its numerous Garriſon, ſtrong Walls and Situation in the very Heart of the Kingdom, was a great Eye-ſore to him; he therefore reſolving to be Maſter of it, coſt what it would, inveſted it on all ſides with a powerful Army, which he divided into four great Bodies. The firſt, conſiſting for the moſt part of his military Tenents called *Brandans*, he commanded in Perſon; he committed the ſecond to

A.D. 1339.

(*a*) Holinſh. p. 346.

the Conduct of *Patrick* Earl of *March*; the third to that of *William* Earl of *Roſs*; and the fourth to *Maurice Moubray* Lord of *Clydſdale*. Theſe Officers did all they could in their reſpective Poſts; but the Town and Garriſon were ſo ſtrong, that after ſix Weeks ſpent in continual Action, to the much greater Loſs of the Beſiegers than of the Beſieged, they were about to decamp from before the Place, when Sir *William Douglas* arrived from *France* in the *Tay*, with 5 Ships under the Conduct of *Hugh Handpile*, formerly a noted Pirate, and no inconſiderable Supply of Men, commanded by two brave Officers *Giles de la Hois* and *John de Breyſe*, together with warlike Stores and Proviſions of all ſorts. The *French*, as foreign Auxiliaries generally do, behaved very gallantly, and were of great uſe in the preſent Conjuncture; nevertheleſs, the Town did not offer to capitulate till after a Siege of four Months, when after the Earl of *Roſs*, having found Means to divert the Water from the Foſſee, had advanced to the very Foot of the Walls, the Governour Sir *Thomas Ughtred* thought fit to ſurrender: For which I find (*a*), that that Gentleman was afterwards quarrelled, but that he was indemnified by Act of Parliament dated the 29th of *October* 1339. The Conduct of *William Bullock* the *Engliſh* Governour of the Caſtle of *Cowper* was much more unjuſtifiable: He was not only perſwaded by Sir *William Douglas* to give up the Place, but alſo to come over with his whole Garriſon to the *Brucian* Intereſt, (an Action altogether unworthy of a Man of Honour:) and yet this ſame *Bullock* ſhewed afterwards, that he wanted neither Courage nor Conduct. What the *Engliſh* were doing all this while, what Forces they had in *Scotland*, or by whom theſe Forces were commanded, neither *Engliſh* nor *Scots* Authors have related. They generally attribute this Turn of Affairs at home to the Abſence of King *Edward* who was abroad; yet the Council he left behind him failed not to take care, both of the Perſon and Intereſt of his Confederate the Lord *Baliol*. For it appears from numerous Records, that that Prince had all this time, and afterwards while he lived, a liberal, if not royal Allowance out of the Exchequer; and that in order to the Relief of *Perth* an Army was raiſed (*b*), and he (*c*) made Captain-General of it beſides. Theſe Fortreſſes in *Scotland* that owned his, or King *Edward*'s Authority, were very chargeable to *England* (*d*), from whence they were provided not only with Arms and warlike Engines, but alſo with Wine, Beer and Eatables of all ſorts. They ſtood in great need of theſe laſt Neceſſaries; for the moſt fertile Parts of *Scotland* had been ſo often waſted and over-run by Friends and Foes, that they were become quite barren, and lay uncultivated; in ſo much, that theſe 3 Years bygone, the *Scots* ſuffered more by Famine than War; and this laſt Year particularly, the Dearth was ſo very great, that the People were fain to feed upon the Fleſh of Horſes, Dogs, Cats, &c.

The Lord *Robert Stewart* takes the Town of *Perth*,

And the Caſtle of *Cowper*.

Great Famine in *Scotland*,

(*a*) Fœd. Angl. Tom. V. p. 1.— (*b*) Ibid. p. 131. (*c*) Ibid. p. 127. (*d*) Ibid. p. 69.

&c. Nay, there was one *Tryſticlock* an uplandiſh Fellow, who like a Wolf, would ſally out of Woods and Caves upon Women and Children, and after cutting their Throats, lay up their dead Bodies for Suſtenance to his own Life. It is probable that this univerſal Scarcity, (an Enemy the *Engliſh* Nation do not willingly encounter,) did not a little contribute to render *Scotland* inacceſſible to their Arms, and afforded by Conſequence a large Field of Victory to the *Scots*, then as much as ever inured to Hardſhips, and Patient of Want. But to ſay the Truth, the King of *England*'s Abſence, and the Diverſion made by the War in *France*, were the principal Cauſes of the Loſſes he ſuſtained in *Scotland*.

That Monarch (*a*), being highly diſpleaſed to find that the King of *France* had rejected the Truce himſelf had agreed to, was gone over to *Flanders* in *July* the laſt Year 1338, the Remainder of which he ſpent in careſſing, courting and bribing the Princes in Alliance with him, but more eſpecially the Emperor *Lewis* of *Bavaria*, with whom he had a moſt magnificent Enterview at *Cologn*, and by whom he was ordained and conſtituted his Deputy and Vicar-General of the ſacred *Roman* Empire over all the Weſtern Provinces: A great Poſt indeed, but in the Opinion of *French* Writers, beneath the Majeſty of a King of *England*: But the King of *England* was of another Mind, he thought, as moſt Men do, that no ſpeculative Preciſions ought to be made between what is honourable and what is advantagious, and never doubted but that, if he ſhould be ſo fortunate to conquer, or but humble *France*, his Succeſs, by whatever Means it was brought about, would be attended with abundance of Honour, and followed by abundance of Gain. His Succeſſes tranſcended his Hopes, and I dare ſay he never dreamed while aſleep, nor ſeriouſly fancied while waking, that it was poſſible to conquer and triumph as he afterwards did. Yet this Campaign 1339 produced nothing material in his Favour. His Arms were worſted in *Scotland*, as I have already related, and beyond Sea he gained no real Victory: For the King of *France* was by his Counci., much againſt his own Will, prevailed with to decline coming to a general Engagement, the rather becauſe there were no leſs than four Kings in his Army, himſelf and thoſe of *Scotland*, *Bohemia* and *Navarre*. Theſe Princes his Allies would needs ſhare in his Danger, and be ſo far ſubſervient to his Glory: But it was thought unadviſable to expoſe his Crown and the ſacred Perſons of ſo many Sovereigns to the Chance of one Battle, which, if loſt, would be like that of *Halidonhill*, almoſt irretrieveable; and if gained, of very ſmall Conſequence, ſince thereby neither King *Edward*, nor his Allies would loſe any of their own Dominions. Wherefore this laſt, finding that the Enemy would not fight, retired from *Picardy* to the *Low Countries*, where he was finally determined by the famous

Edward III. his firſt Expedition into *France*.

King *David* a Volunteer in the *French* Army.

(*a*) Echard, p. 351, 352, &c. Barnes, Tyrrel, &c. ad An. 1338 and 1339. Pere d' Orleans, Vol. 2. p. 21; 24, &c.

mous *d' Arteville* to aſſume the Title and Arms of *France*. He had doſe the ſame before in *England* among his own Subjects; but being apprehenſive leſt Strangers ſhould think him Chimerical, he had deſiſted, it ſeems, from uſing them abroad; and the *Fleemings*, who by a late Treaty were bound to pay a vaſt Sum of Money to the Pope, as alſo to be liable to Interdict and Excommunication, in caſe they ſhould ever revolt againſt their ſuperior Lord the King of *France*, began to be concerned both for their Purſes and Souls, and to repent their contrary Engagements with the King of *England*; but *d'Arteville* found out this *Salvo* by which he encouraged them to go on in the preſent Meaſures. He told them that the King of *England* was really King of *France*, and that, if they would not incur thoſe very Penalties they ſtudied to avoid, they muſt own and ſerve him as ſuch.

King *Edward* by this Means being aſſured of the *Fleemings*, and by the Backwardneſs of the *French* to engage him, more than ever convinced that the War, if vigorouſly carryed on, might terminate
A. D. 1340. to his Advantage, returned in *February* 1340 to *England*, where after cajolling his Parliament, and confirming the famous *Magna Charta* and the Charter of *Forreſts*, he obtained all the Aid and Support in their Power to give. Great Numbers, and thoſe of the beſt Quality (*a*), undertook to raiſe Men, and to ſerve in Perſon againſt the *Scots*. The Earl of *Angus*, and the Lords *Percy*, *Nevill*, *Lucy* and *Segrave* were to ſet forth with 210 Men at Arms, and 220 Archers, as were the Lords *Roos* of *Hamlake*, *Willoughby* of *Eresby*, *Bulmer*, *Fitz-hugh* and *Welles*, with 550 good Men. The Lord *John Moubray* was conſtituted in this Parliament Governor of *Berwick*, being retained by Indenture to continue there for the Space of a Year with a Garriſon of 120 Men at Arms, 100 Halberdeers, and 200 Archers, of which Number he himſelf was to entertain out of his own Revenues 60 Men at Arms, and among theſe 10 Knights, 20 Halberdeers and 60 Archers. The Lord *William Felton* Governor of *Roxburgh* Caſtle, was charged with 60 Men at Arms, 50 Halberdeers and as many Archers to ride in Company with the Lords ordained to defend the Marches, and had beſides 36 Men at Arms and 40 Halberdeers for the Defence of his own Caſtle. Sir *Thomas Rokeby* engaged himſelf to provide a certain Number of Soldiers in Time of Peace, and a greater in Time of War, towards the Defence of the Caſtles of *Edinburgh* and *Stirling*. Thus all theſe, and, no Doubt, a great many more Lords and Gentlemen endeavoured to out-do one another in their Liberality and Zeal for the Service; only the Lord *Baliol*, tho alone more intereſted in it than all the reſt together, undertook to find but 20 Men at Arms; for he was now reduced ſo very low, that among other Methods for his Supply, the King of *England* was obliged to grant towards the Entertainment of his Houſhold and Retinue, the

Great Preparations made in *England* for the *Scots* War.

Manor

(*a*) Barnes, p. 180.

Mannor of *Hexliſham*, and 300 *Lib. per An.* out of the Deſmes of the Dioceſs of *York*, during the Vacancy of that Archbiſhoprick. In fine, it was agreed that all Men of Intereſt and Power ſhould be ready upon warning, to ſet out for the North Marches, that no Victual ſhould be tranſported by Sea from *England* to *Scotland*, and that Commiſſions ſhould be granted to the Earl of *Angus* and ſome others, impowering them to ſet forth the Arrays of *Yorkſhire*, *Nottingham*, *Darby* and *Northumberland*, to puniſh all Rebels and diſobedient, to determine of all Treſpaſſes done in *Northumberland*, and what they called the *Kings Lands* in *Scotland*, to receive ſuch Perſons as ſhould be willing to come to the Kings Peace, and to grant a Truce if thought neceſſary.

But the *Scots* were not diſpoſed either for a Truce or Peace, they had again received freſh Supplies (*a*) of Men and Money from *France*, and, as they had done before, reſolved to make good Uſe of the Abſence of King *Edward*, who this Summer went over again to *Flanders*. They promiſed no leſs to the *French* Envoys, and were as good as their Word; for they not only reduced moſt part of the *Scots* Fortreſſes, which, till then, had been poſſeſſed by the *Engliſh*, but alſo made ſeveral, and thoſe very ſucceſsful Inroads into the North of *England*, where they ravaged the Country to the very Gates of *Durham*. Sir *Alexander Ramſay* of *Dalhouſy* and Sir *William Douglas* ſignalized themſelves moſt eminently in all the Exploits of this Campaign, but more eſpecially by taking the Caſtle of *Edinburgh*, which Sir *William* ſurprized by a Stratagem to be related in his Life, and by a Victory Sir *Alexander* gained over the *Engliſh*, an Account of which I ſhall alſo give in the Life of that brave Gentleman, whoſe Proweſs and Conduct in War *Scots* Authors ſo highly extol. I ſhall only take notice in this Place, that *Scots* Authors refer theſe Actions to the enſuing Year 1341, but they muſt certainly be miſtaken, not only becauſe they are contradicted by other Authors, *French*, *Low Dutch* and *Engliſh*, but becauſe, (as will appear by and by,) moſt Part of the enſuing Year was by Reaſon of a Truce free from Hoſtilities. But that the Terms and Reaſons of that Truce may be laid open; 'tis neceſſary to tell, that King *Edward* (*b*) after having routed the *French* Fleet, and killed and drowned about 30000 Men, as he repaſſed the Sea, ſat down before *Tournay* at the Head of near 100000 Soldiers drawn out of all Nations in Confederacy with him. King *Philip* on the other hand had provided an Army not inferior to the other in Numbers, and a Detachment from it had the good Luck to defeat a Party of *Fleemings* commanded by *Robert d'Artois* near St. *Omers*, and to kill between 3 and 4000 of them upon the Spot (*c*). This Blow, together with ſome concurring Circumſtances, ſtruck the whole *Fleemiſh* Hoſt, conſiſting of about 40000, or, as others ſay, 55000 Men with

The *Scots* invade *England*.

Sir *Alexander Ramſay* and Sir *William Douglas* their great Exploits.

Edward III. his ſecond Expedition into *France*.

(*a*) Barnes, p. 199, 200. Tyrrel, Vol. 3. p. 435. Froiſſar. C. 55. fol. 31. Buchan. p. 298, 299. Boet. Hiſt. &c. (*b*) Echard, p. 357. 354. Pere Orleans, Vol. 2. p. 25, 26, &c. (*c*) Barnes, p. 201.

with ſuch a pannick Terror, as made them all diſlodge in a Hurry, and rendred the Deſigns, upon which they were to be employed, abortive. Neither did King *Edward* make great Progreſs in the Siege of *Tournay*; for which Reaſon, and becauſe of the ill News he received continually from *Scotland*, he was at length prevailed with, as was alſo the King of *France*, by the earneſt Sollicitations of *Jean de Valois* Counteſs Dowager of *Hainault*, a near Kinſwoman of both, to give ear to Terms of Accommodation; and accordingly five Commiſſioners for each Side, and thoſe for the moſt part Sovereigns, met in a Chappel that ſtood in the Fields of *Spetelin*, where (*a*) on the 25th of *September* 1340, a Truce was agreed to, which laſted till the 24th of *June* 1341, and the *Scots* were expreſly comprehended in it; that is, if they had a mind to be ſo, if not, the King of *France* was bound to give them no Manner of Aid or Aſſiſtance: But they did acquieſce in the Treaty, ſo that there was a Ceſſation of Arms till about *Auguſt* next Year, when King *Edward*, becauſe he was by the *French* War which broke out a freſh detained at Home, ſent an Army (*b*) againſt the *Scots*, under the Command of the Lord *Baliol*; but to no Purpoſe: The *Scots* (*c*) and their *French* Auxiliaries, under the Conduct of Sir *William Douglas*, laid Siege to the Caſtle of *Stirling*, in thoſe Days thought almoſt impregnable, the very Day after the Truce was expired. They were not afraid of the Lord *Baliol*, but very well knew, that King *Edward* being now at Home, would make ſome great Effort, and probably come in Perſon to the Relief of ſo important a Poſt: For which Reaſon they uſed the more Vigour in all their Attacks, and made their Approaches more reſolutely. They had Reaſon, for King *Edward*, tho as yet unprepared for a perſonal Expedition, ſent the Earl of *Derby* (*d*) at the Head of another Army, or at leaſt a conſiderable Reinforcement, to *Scotland*: But he was as unſucceſsful as the Lord *Baliol*, being oppoſed probably by another Army of *Scots* deſtined to cover the Siege, and to oppoſe his advances into the Country. At length King *Edward* came to the Borders in Perſon, but when at *Berwick*, had Advice that Sir *William Douglas* being ſufficiently appriſed of the great Preparations made againſt him, after having divided his Army into four Bodies, and kept one of theſe Diviſions by Turns upon uninterrupted Aſſaults, had compelled Sir *Richard Limeſi*, tho a moſt valiant Officer, who ſometime before had ſignalized himſelf in the Defence of *Thine l'Eveſque* againſt the Duke of *Normandy*, to give up the Caſtle of *Stirling* upon theſe Terms, that himſelf and the Souldiers under him ſhould be allowed to retire with Life and Limb, their Swords by their Sides, and only one Suit of Apparel.

Truce between *France* and *Scotland* on the one Part, and *England* on the other.

A.D. 1341.

Lord *Baliol* invades *Scotland*.

Stirling beſieged by the *Scots*,

And taken.

Edward III. his ſixth Expedition into *Scotland*.

King *Edward* received this News with inexpreſſible Diſſatisfaction, but unable to help it, and his great Army, which conſiſted of

(*a*) Fœd. Angl. Tom. 5. p. 205, 206, &c. Traitez d' entre les Roys de Fr. & d' Angl. p. 218, 219. (*b*) Fœd. Angl. Tom. 5. p. 271. (*c*) Barnes, p. 248. Tyrrel, Vol. 3. p. 460, 461. Froiſſar. cited by both. (*d*) Fœd. Angl. Tom. 5. p. 286.

of 40000 Foot and 6000 Horſe, being in want of Proviſions, he was forced to return from *Berwick* to *Newcaſtle*, where he attended the Arrival of his Fleet for above a Month. At length the Fleet arrived, but not till *November*, and in a moſt pitiful Condition, having been diſperſed and ſhattered by a moſt furious and laſting Tempeſt, in ſo much, that had the *Scots* been informed of the Enemy's Circumſtances, they had certainly marched over the Borders, and by plundering the Country heightned the Famine with which he was threatned: But being unable, as they thought, to inſult an Army ſo vaſtly ſuperior to their own, they had retired into the Forreſt of *Jedburgh*, in thoſe Days the uſual Retreat of the weakeſt. From thence they ſent Meſſengers to King *Edward*, and obtained a ſix Months Truce upon this Condition, That, if their King *David* did not return within that time to the Defence of his Right, they ſhould, in that caſe, give over contending for him, and transfer their Allegiance to the King of *England*. So ſay *Engliſh* Authors upon the Authority of *Froiſſard*, a great Favourer and Admirer of King *Edward*; and ſo ſays both *Buchanan* (*a*) and *Pere d'Orleans* (*b*) after them; but in my Opinion ridiculouſly: For beſides that *Boetius*, *Holinſhed*, *&c.* tell the Story quite otherwiſe, how improbable is it, that thoſe Worthies, who, notwithſtanding the Loſs of Battles and Towns, the ruine and forfeiture of their Eſtates, the Deſolation and Conqueſt of all the Low Countries, had ſo nobly and ſo often oppoſed the ſame King *Edward*, when at the Head of more numerous Armies, and victorious even over themſelves, and in the Heart of their Country, and in Summer, and unmoleſted by Diverſions abroad, ſhould, now they had got the Aſcendant over him, at leaſt his Arms, and reconquered all the Fortreſſes in *Scotland* but *Roxburgh* and *Berwick*, that is very nigh the whole Kingdom, ſo much as think of ſo mean and diſloyal Terms. What if King *David* could not return (and how many Accidents might have hindred him?) within ſix Months? Or had he died in the mean time, was the Lord High Stewart, his preſumptive Heir, to give up that very Crown he was not only born to wear, but had, by his own Valour in a great Meaſure, reſcued from Uſurpation? Would he, or would thoſe Patriots that acted in conjunction with him, have ventured the certain Fruits of their unequalled Labours, and a Ten Years War upon one ſingle Throw of the Dice? And what elſe could the Return of King *David* be called, or at leaſt, what more could it be depended upon? Again, how unreaſonable is it to think, that the *Scots*, to haſten the Return of their Sovereign, would take Meaſures with his Enemy to prevent it? Did King *Edward* engage, that he would not endeavour to intercept him in his Paſſage from *France*? If he did, were the *Scots* ſo credulous as to take either his Word or Writ for a Guarantee? If they were, after ſo many Breaches of that Prince's Faith

(*a*) p. 300. (*b*) Lib. 5. p. 29.

known to and felt by them, they muſt be accounted the veryeſt Fools in the World. Beſides, there is no Mention of ſuch a Treaty to be found in any Record, *Scots*, *Engliſh* or *French*. If there had been any, ſure Mr. *Rymer* would not have omitted to publiſh it among the reſt of his excellent Collections; on the contrary, it evidently appears from them, that either there was no Truce agreed to at this time at all, (I mean in the Month of *December* 1341) or that it was but ſhort, and in order to an After-treaty: For I find, that in *March* 1342, a ſafe Conduct was granted (*a*) to *Adam* Biſhop of *Brechin*, *Patrick* Earl of *March*, *William Douglas* and ſome others, called in the Record, Commiſſioners for *David Brus*; and that in the enſuing *April* (*b*), Commiſſioners for King *Edward* were appointed to treat with them; which had been, I humbly conceive, unneceſſary, if it had been already agreed, that the *Scots* ſhould ſubmit to King *Edward*, if within ſix Months King *David* did not come home. Beſides 'tis obſervable, that the Biſhop of *Brechin* and his Aſſociates are called Commiſſioners for *David Brus*, and 'tis not to be ſuppoſed, that even King *David* himſelf would impower Commiſſioners to exclude him and his Poſterity from the Throne, unleſs he effected preciſely within ſix Months what a Thouſand unforeſeen Accidents might hinder. Nevertheleſs I ſhall not deny, but that a ſhort Truce was concluded about this Time, tho not upon thoſe Terms; and that during the Holy Days of *Chriſtmaſs* there was an amicable Intercourſe and Correſpondence between the two Nations. The King of *England* kept that Feſtival (*c*) at the Abbey of *Melroſs*, as did the Earl of *Derby* his Lieutenant-General at *Roxburgh*. Sir *William Douglas* with three *Scots* Knights, paid a Viſit to this laſt, and juſted with him and thoſe about him, and the Martial Sport was honourably maintained on both ſides. It was ſome Days after renewed at *Berwick*, whither twelve Knights of *Scotland* went for the Purpoſe, and were matched by as many *Engliſh*. Of the *Scots* 'tis ſaid, that two were
A. D. 1342. ſlain by chance, and one *Engliſhman* Sir *John Twyford*. The *Scots* had their own Deſigns upon theſe two Places which they had not yet recovered, and perhaps were glad of that Opportunity to view their Fortifications, and to diſcover on what ſides they lay moſt open to Inſults. This is the more probable, becauſe we are informed by a very good Author (*d*), that on the 30th of the enſuing *March*, Sir *Alexander Ramſay* ſurpriſed the Caſtle of *Roxburgh*: So that now no Part of *Scotland* but *Berwick* alone remained in the Hands of the *Engliſh*. And this, I take it, is another Proof of what I have aſſerted concerning the Truce, which, if it had been to laſt the ſpace of ſix Months, Sir *Alexander* would by this Action have violated, and that is by no Author alledged.

Sir *Alexander Ramſay* takes the Caſtle of *Roxburgh*.

Notwithſtanding this Act of Hoſtility and the Loſs ſuſtained by King *Edward*, that Monarch continued willing to bring Matters to

(*a*) Fœd. Angl. Tom. V. p. 306. (*b*) Ibid. (*c*) Knighton p. 2580. (*d*) Liber Paſletenſ. cited by Buch. p. 300.

to an Accommodation, and therefore ſent his ſafe Conduct to the *Scots* Commiſſioners I have named above. Theſe Gentlemen, on the other Hand, had their own Reaſons to amuſe the Court of *England* with Hopes of Peace. They knew that King *David* was preparing to come home, and were deſirous to keep his Enemy in the Dark, in order to prevent their Maſter's being intercepted at Sea, or inſulted upon his landing. If this was their Deſign, as probably it was, it had all the Succeſs they propoſed: For King *David*, after having taken his Leave of his generous Ally the King of *France*, and embarked with great Diligence and Privacy, arrived at *Innerbervy* in the *Merns* on the 12th of *July*, to the great ſurpriſe and inexpreſſible ſatisfaction of his Subjects, who being generally unacquainted with the Reſolutions that had been taken, were not expecting to ſee that happy and much longed for Day ſo ſoon as it came. All Authors agree, that he was received with the greateſt Demonſtrations of Joy the moſt loyal People that were then upon Earth could ſhew to one of the beſt and moſt hopeful Sovereigns in the World, the Son of an Heroe their former Deliverer, and himſelf, (tho but as yet about 21 Years of Age,) an experienced and famed Commander. He and his royal Retinue, to which belonged Queen *Jean* his Spouſe, *John Randulph* the Earl of *Murray*, and Sir *Malcolm Fleming* of *Cumbernald*, were conducted in Triumph to *Perth*. For, as Sir *Malcolm* (*a*) had formerly, with great Care and Conduct conveyed him to *France*, ſo now he had again the Honour to attend him home, having the Year before reſigned his ſtrong Caſtle of *Dumbarton* into the Hands of the Guardian, for no other Reaſon but to enjoy the Pleaſure of waiting upon his Sovereign in *France*. And as for the Earl of *Murray*, who had been ſo long detained a Priſoner in *England*, I find, that he got Liberty to go to *Scotland* (*b*) *in Anno* 1340, and from thence to *France* (*c*) in 1341, in order to raiſe what Money was asked for his Ranſom, but with ſo much Difficulty, that in his Place the Earl of *March*, Sir *Alexander Seton*, *William Livingſton* and two more, were neceſſitated to go to *England*, where they continued ſome time as Hoſtages for him. When he was in *France*, he and the King his Royal Maſter and Couſin, prevailed with King *Philip* (*d*), to exchange *William Montague* Earl of *Salisbury*, (made Priſoner by his Forces,) for him. When upon his Return to *England* he had ſatisfied the King of *England* with this Tranſaction, he was in the Beginning of this Year 1342 entirely freed (*e*), and allowed to go back to *France*, from whence he no doubt contributed to forward the King's Return.

King *David* returns to *Scotland*.

Sir *Malcolm Fleming* returns with the King from *France*.

Earl of *Murray* relieved from his Captivity.

How ſoon that Monarch arrived at *Perth*, he had the Pleaſure to ſee his whole Kingdom as it were in *Miniature*; for there were none within it (*f*) of Worth or Wealth, but haſtned to congra-

X tulate

(*a*) Barnes p. 249. (*b*) Fœd. Angl. Tom. V. p. 200. (*c*) Ibid. p. 250 (*d*) Traitez d'entre les Roys de Fr. & d' Angl. p. 221. (*e*) Fœd. Angl. Tom. V. p 300 (*f*) Froiſſar C. 74. Du Cheſne p. 655. Barnes p. 250, 251, &c. Tyrrel Vol. 3. p. 463, 464. Buchan. Boet. Leſl. &c. in vit. Reg.

tulate and pay their Obeyſance to him; and he repaid them with ſo much Civility, and expreſſed ſo tender a Concern for their Sufferings, that they thought they had neither done nor ſuffered enough for ſo good and gracious a Maſter. He gave them more than bare Compliments and fair Promiſes: For he inſtantly called for a Catalogue of all ſuch as had loſt their Lives at *Duplin*, *Halidon*-Hill, or elſewhere, or had been deprived of their Fortunes, or had in any manner of way ſignalized their Loyalty; and afterwards actually rewarded every one according to their own and their Parents Deſervings. Among the reſt, *Hector Boece* takes notice of an Anceſtor of his own, who, becauſe his Father had been killed at *Duplin*, was himſelf by the King's Favour married to the Heireſs of *Balbride*; and I ſhall afterwards have Occaſion to inſtance many more upon the ſame Account preferred to Honours, Poſts and Eſtates.

King *David* his Gratitude to his Friends.

While he was thus enquiring into the reſpective Merits of his Subjects, he could not but be made ſenſible of the terrible Devaſtations that had been made in his Kingdom. As they moved him with Compaſſion, ſo they inſpired him with a Deſire, (perhaps too vehement,) of retaliating the like Calamities upon *England*; and 'tis reported of him, that, when diſcourſing upon that melancholy Subject with the Great Steward and ſome others about him, he ſhook his Head, and ſaid; *Well, well, my Lords, by the Grace of God I will be ſufficiently revenged for all, or I ſhall loſe my Crown and Life in the Quarrel.* Indeed he began very ſoon to put his Threatnings in execution: For he preſently iſſued forth his Summons to all his Subjects, Friends and Allies to attend him by ſuch a Day, with their Men and Arms at *Perth*. He was obeyed with incredible Alacrity, not only by his own immediate Subjects, but alſo by the Great Earl of *Orkney*, who came to him with ſeveral Lords and Knights from *Sweden*, *Norway* and *Denmark*; ſo that in a ſhort time he ſaw himſelf at the Head of an Army, (ſays *Froiſſard*,) of 60000 Foot and 13000 Horſe: A mighty Power for a Kingdom ſo ſmall, and of late ſo often waſted and over-run. But as this ſhews what the *Scots* Nation could do, if under a beloved Sovereign, united among themſelves; ſo 'tis a Proof that King *David* had before-hand concerted his Meaſures, and that, while yet in *France*, he wiſely correſponded with the Northern Crowns. From *Perth* he marched in one Day to *Dumfermling*; from thence, after croſſing the *Forth*, to *Edinburgh*; and ſo on till he entred *Northumberland*. When there, he detached great Parties to all Places of the Country, which they laid entirely waſte for about 40 Miles in Length. This done, he ſat down before *Newcaſtle*: But the Place was ſo well defended by Sir *John Nevill*, a Perſon of great Conduct and Bravery, that he found it was not to be won but by a long and formal Siege; and therefore not thinking it worth his while to dally about it, he proceeded to ravage the *Biſhoprick*, and had the good

He proſecutes the War with Vigour.

Invades *England*.

Luck

Luck to take *Durham* by Storm, after an obſtinate Defence made during ſix or ſeven Days, not only by the Burgers, but by all the Inhabitants of the neighbouring Country, who had fled thither with their beſt Effects, as to a Place of Safety. On this Occaſion he is ſaid to have extended the Right he had acquired by the Martial Law, as far, nay further than it could well go: He permitted his Soldiers to plunder the Town, put all within it of whatever Sex, Age, or Condition to the Sword, and did not ſpare even the Shrine and Church of St. *Cuthbert*. So ſays my Author, and the Reaſon he gives why the King uſed his Victory with ſo little Mercy, was this. While he lay before *Newcaſtle*, the Lord *John Neville*, with 200 Lances ſallied out of it early in the Morning, ſurprized the *Scots* Camp, at leaſt that Part of it where the Earl of *Murray* commanded, and dragged that Nobleman from his Bed to the Town, where he was kept a Priſoner; which ſo enraged the *Scots*, that they ran like mad Men to the Barriers of the Place, and aſſaulted it with incredible Fury; but being unable to take it, they aftewards diſcharged their Wrath upon *Durham*. This Story cannot be altogether true; for 'tis certain that the Earl of *Murray* was not made a Priſoner at this Time, elſe we had heard of it from other Authors, and (as before) known when and upon what Terms he came to be ſet at Liberty: Nor do *Scots* Hiſtorians acknowledge any Loſs ſuſtained by their King in three different Expeditions he made this Year into *England*, ſave that five Knights, that ſtragled too far from the Army were killed, and their Men put to flight. They add, that in the firſt Expedition the King did not act as ſuch, but that having intruſted the Earl of *Murray* with the chief Command, he went with him *incognito*, and did not ſuffer the royal Enſigns to be diſplayed. 'Tis certain however, that being ſatisfied with the Honour he had acquired to himſelf, and the great Booty with which his Army was enriched, he marched homewards from *Durham* as far as the Caſtle of *Werk* in *Northumberland*. Nor had he a mind to loſe Time in attacking this Place, too ſtrong to be eaſily forced, and too inconſiderable to employ ſo great a Power: He only lodged near it one Night, and was marching off the next Day, (the Lord High Steward being in the Van, himſelf with moſt of the Booty and Carriages in the Middle, and the Lord *William Douglas* bringing up the Rear,) when the Governor Sir *Edward Montague*, a Brother of the abſent Earl of *Salisbury*, to whom the Caſtle belonged, obſerving from the Battlements of the Tower, what a prodigious deal of *Engliſh* Wealth they carried along with them, and with what Difficulty the Horſes as well as Men advanced under the Weight of their bulky Carriages, he reſolved to attempt a Repriſal, and ſallying out of the Caſtle with about 40 Horſe, fell unawares upon the Rear of the *Scots*, ſo ſucceſsfully, that, they ſay, 200 of them were killed, and ſome of their Carriages retaken.

Beſieges and takes *Durham*.

The Lord *William Douglas* was ſoon advertiſed of this Inſult, upon which, after ſending word of it to the King, he faced about, and not only purſued the *Engliſh* to the Foot of the Caſtle, but with more Courage than Conduct aſſailed the Walls, and continued the unequal Fight till the King and the whole Army returned. That youthful Prince, unable to bear the Affront he thought was put upon him, reſolved to carry the Place by all Means poſſible. With this View, he cauſed Timber Faggots and ſuch like Stuff to be provided in great haſte to fill up the Ditches, and the next Day renewed the Aſſault with great Vigour: But his Men were expoſed to infinite Hazards from Walls they had not Time nor Engines to batter down; and his Preſence made them venture upon any Thing, while the Beſieged fought ſecurely within Doors, or from the Top of inacceſſible Battlements: And I ought not to forget, that they were very much encouraged by the Largeſſes and Courage of the Counteſs of *Salisbury*, an heroick and virtuous Lady, in whoſe Honour ſome Authors have written, (but falſly ſays Mr. *Barnes* and Mr. *Tyrrel*,) that the moſt noble Order of the Garter was by King *Edward* her hopeleſs Admirer, inſtituted. Sir *Edward Montague* with great Gallantry ſeconded the Endeavours of his Siſter-in-Law. He knew that the Caſtle muſt be taken, if not ſpeedily relieved, and only wanted that ſome Body would have the Courage to paſs through the *Scots* Camp and give King *Edward* (who, he heard, had now got a vaſt Army together, and was not far off,) an Account of the Matter: But tho he threw down a Puſe of Gold and offered it to the bold Undertaker, there was none inclinable to take it up. But he did himſelf what no Body elſe would or durſt, and the Enterpize was favoured by a terrible Rain that fell in the Night, and kept the *Scots* Centinels under Shelter, and thereby improvident. The Rain had another Effect, it hindred the *Scots* from returning to the Aſſault ſo ſoon as their Chiftains deſigned, and embaraſſed them in their Action, when they came to it. Upon this a Council of War was called; and it was the general Opinion, that ſince the Soldiers were fatigued with Toil, and incumbered with Booty, they had beſt withdraw before the King of *England* could come up with them: For, ſaid one of the Lords to King *David*; "Sir, you have already acquired a "great deal of Honour, and done conſiderable Damage to the Ene- "my; you have taken *Durham*, ravaged *Northumberland*, inſulted "*England*, obliged *France*, and convinced *Scotland* that her Cala- "mities are at an End: And now, we humbly conceive, 'tis fit to "return, while you may with Honour, and Safety. King *Edward* "is at hand with freſh Forces; yours are wearied and weighted "with the Spoils you have beſtowed upon them; an Engagement "in theſe Circumſtances would be unequal, and the Hazard on "your Side too great. Further Opportunities will not be want- "ing to your Majeſty's Courage, nor your People's Loyalty to your

Returns home.

afte-

after-Commands." The King yeilded, but unwillingly, to the Advice of his Council, and his Army decamped from before *Werk* but ſix Hours before that of King *Edward* came in View of it; but ſo much haraſſed and fatigued with long Marches, that it was forced to halt till the next Day, when the *Scots* had got to the Foreſt of *Jedburgh* in their own Country. The *Engliſh* followed and encamped within four Leagues of them. Thus they faced one another for ſome Days, and in the frequent Skirmiſhes that happened, ſeverals were killed and taken interchangeably on both Sides. The *Engliſh* ſay that they had generally the better, but own that Sir *William Douglas* did them much Harm. Notwithſtanding theſe repeated Hoſtilities, there were thoſe in both Armies, who endeavoured to bring about an Accommodation; the *Scots*, that they might have ſome Leiſure to regulate the domeſtick State of their Affairs, eſpecially to ſet about cultivating their Lands ſo long neglected; and the *Engliſh*, in Order to purſue their Quarrels in *France* with the greater Vigour. But King *David* neither would, nor, in Honour or Reaſon, could agree to a long Truce, much leſs to a final Peace, without Conſent of the King of *France*. Nevertheleſs a Truce was concluded for two Years, with this conditional *Proviſo*, that, unleſs the King of *France* was willing to comply with it, it ſhould laſt but till the enſuing *May*. However, the King of *France* did comply with it (*a*), as I ſhall juſt now relate, for which he is much condemned by ſome *French* Authors, who ſay, that he ought rather to have ſent ſuch Succours to King *David* as would have encouraged both him and his Subjects to make an uſeful Diverſion in Favour of *Charles de Blois*, or rather King *Philip*. For

Edward III. his ſeventh Expedition into *Scotland*.

A two Years Truce between *Scotland* and *England*.

Not long after the Truce concluded in the Chappel of *Spetelin An.* 1340, *John* (*b*) Duke of *Bretaign* chanced to die, leaving behind him a Competition for that Sovereignty between *Charles de Blois*, (who had married the Lady *Jean*, his Niece by his ſecond Brother *Guy*,) and his third Brother *John de Montfort*. The Right of *Charles*, at leaſt that of his Lady, was, wherever Females are not by poſitive Law excluded from Dominion, inconteſtable; for which Reaſon they were inveſted in the Dukedom during the Life of *John* their Uncle, and after his Deceaſe confirmed in their Poſſeſſion by a Sentence of the Peers of *France*, who, ſince the Dukedom of *Bretaign* was a Feu of the *French* Crown, were certainly the proper Judges of ſuch a Caſe. But *John de Montfort* thinking, or pretending to think otherwiſe, betook himſelf to Arms, ſeized upon ſeveral Towns, and was abetted in his Pretenſions by the King of *England*, ever ready to catch at all Opportunities of aggrandizing himſelf by embroiling the Affairs of his Neighbours. King *Philip* on the other hand thought himſelf

(*a*) Traitez d'entre les Roys de Fr. & d' Angl. p. 221. (*b*) Echard, p. 355, 356. Pere d' Orleans, liv. 5. p. 32, 33, &c.

obliged to make good the Deciſion of his Parliament, and to ſupport the Right of one who was his own Nephew. "Hence, ſays "*Pere d' Orleans*, that famous and fatal Flame, by which the "Kingdom of *France* was very near conſumed, and which, to this "Day, renders the Memory of King *Edward* ſo precious to *Eng-*"*land*, more proud of the Conqueſts ſhe then added to her anci-"ent inheritances among us, than humbled by the after Loſs both "of her Inheritances and Conqueſts." This Reflection is not in all Senſes true; for, as the War between the two Kingdoms of *France* and *England* had been kindled upon other Accounts before this Time, ſo the *Engliſh* had at firſt no great Reaſon to boaſt of their Succeſſes with Reſpect to that Quarrel. *John de Montfort* was made a Priſoner, and the grand Incendiary *Robert d' Artois* loſt his Life in the Cauſe, after he had valiantly, but diſhonourably, aſſiſted the Enemies of his King and Country about ſix Years. At length, after a vaſt many Encounters, Attacks and Surprizes both by Sea and Land, a Mediation of Truce was made by two Cardinals ſent
A.D. 1343. from Pope *Clement* VI. and in the Beginning of the Year 1343 (*a*) concluded for three whole Years, with a Reference to his Holineſs
Truce prolonged. to hear and examine all Differences, but not to determine them without the Conſent of the Parties concerned. The King of *Scotland* was expreſly comprehended in this Treaty, and he was to ſend his Ambaſſadors to the Court of *Rome* before the Feaſt of St. *John Baptiſt*, with Power to treat about, and conſent to what ſhould be further determined in order to a final Peace: So that by this Means the Truce, but lately concluded between King *David* and King *Edward* in *Scotland*, was not only confirmed with Conſent of King *Philip*, but alſo extended from two Years to three. But it did not laſt ſo long (*b*), For

The Ambaſſadors ſent to *Avignon*, where the Pope reſided, ſtart-
But ſoon after broken. ed ſo many Difficulties, and thoſe ſo very intricate, that his Holineſs deſpairing to clear them, deferred the Conſideration of them to another Time. What thoſe Difficulties were, I cannot preciſely tell: *Engliſh* Authors inſinuate, that they aroſe from the Claim their King had laid to the Crown of *France*; but if we may believe their King himſelf, (I mean the *Manifeſto* he again emitted (*b*) about this time,) all he ſought from *France* was the Reſtauration of ſuch Places as had been taken from him in *Gaſcony*, and that King *Philip* would abandon the *Scots*. But this being peremptorily denied, notwithſtanding thoſe great Offers he had made, and I have already related, he inſiſted upon his Pretenſions, and affirming the Truce to be manifeſtly broken by the Perſecution and Execution of his Friends in *Normandy* and elſewhere, he cauſed tell the Pope, *That the Sword, not the Tongue, ſhould determine his Right and Title.*

(*a*) Traitez d'entre les Roys de Fr. & d'Angl. p. 221. 222. Fœd. Angl. Tom. V. p. 357. (*b*) Echard. p. 357, 358, &c. Pere d' Orleans, liv. 5. p. 37, 38, &c. Tyrrel, Barnes, &c. (*c*) Fœd. Angl. Tom. 5. p. 476, 497, &c.

Title. What he complained of with reference to the Perſecution of his Friends, was this: *Oliver de Cliſſon* a Nobleman of *Bretaign*, with 10 or 12 Lords of his Party, were arreſted at *Paris*, and, (ſay *French* Authors) convicted of having made a ſecret League with King *Edward* under their Seals, contrary not only to the Allegiance they owed as *Frenchmen* to the Crown of *France*, but alſo to an expreſs Article of the late Treaty. If this be true, King *Philip* had all the Reaſon in the World to put thoſe Traitors to Death: But *Engliſh* Authors ſay, that they were not legally tried, and that they were executed upon mere Suſpicion. I ſhould be inclinable to believe theſe laſt, did not King *Edward* himſelf, both (*a*) in his Letter to the Pope, and in a ſubſequent Declaration, call them *his Adherents*, and that they could be lawfully ſuch, I do not ſee. If they were, I am ſure they ſhould have kept out of Harm's Way, and not gone as they did, to aſſiſt at Turnaments held by their injured Sovereign in his own Capital. But the Pope, in his long and pathetick Anſwer to the King of *England* (*b*), ſays, That themſelves had owned that they were not Allies nor Adherents of his Majeſty, but of the Earl of *Montfort*, and that therefore he had no Right to quarrel their being executed, the rather becauſe they had been taken, when actually committing the moſt horrid Barbarities. But be this as it will, 'tis certain, that King *Edward* made an Handle of it to exclaim againſt King *Philip*, as if he had thereby violated the Truce. He afterwards made the ſame Complaints (*c*) of *the rebellious* Scots, who, ſaid he, had ſeveral times invaded *England*, and broken the Truce. What Reaſon he had for ſaying ſo, I can no where learn; only Mr. *Barnes* (*d*), from *Froiſſard* and *Dugdale*, tells us of ſome Hoſtilities committed this Year by both *Engliſh* and *Scots*; the Manner thus. Tho King *Edward* intended to proſecute the War againſt the *Scots* in Perſon, till they ſhould require a Peace in the moſt ſubmiſſive manner, that is, till they ſhould transfer their Allegiance from their lawful Sovereign King *David* to the Mock-Monarch he had ſet up, *Edward Baliol*; yet his Lords perſwaded him to ſend the Biſhop of *Durham*, *Ralph* Lord *Nevill*, and the Lord *John Stirling* to *Scotland*, with Orders to treat about a Truce for 2 or 3 Years. (Mr. *Barnes* ſhould have ſaid, a ſeparate Peace from *France*; for ſuch a Truce as he mentions was already concluded.) But King *David*, (continues he) returned this reſolute Anſwer, *That he neither could nor would ſtrike up a Peace with* England, *without the Conſent of* France: *That this was expreſly ſtipulated between the King of* France *and himſelf, as well as the Predeceſſors of both; and that, as it was one of the Articles of the laſt Truce, ſo it muſt be for ever true, that no Agreement can laſt between* Scotland *and* England, *wherein the King and Kingdom of* France *are not comprehended.* That King *David* muſt needs in Honour, Reaſon and Gratitude have expreſſed himſelf to that purpoſe, I believe no

(*a*) Cited by Tyrrel Vol. 3. p. 475. (*b*) Fœd. Angl. Tom. V. p. 465, 466. (*c*) Ibid. p. 424. (*d*) p. 268.

Body will deny, that conſiders the Tract of the Hiſtory, as I have from unqueſtionable Vouchers deduced it: Yet King *Edward*, ſays Mr. *Barnes*, was ſo nettled at the Briskneſs of this Reply, that in great Indignation he vowed openly, *That henceforth he would intend to no other Buſineſs but the War with* Scotland, *till he had reduced that Kingdom to ſuch Deſtruction, as ſhould be remembred while the World endured.* Accordingly he iſſued out his Commands to all his Forces to meet at *Berwick* by *Eaſter*, and cauſed publick Prayers to be put up to Heaven for the Succeſs of his Expedition. O horrid! And is it poſſible, that a Sovereign profeſſing Chriſtianity, ſhould be found capable of making a ſolemn Truce with his neighbouring States, as King *Edward* did (*a*) on the 20th of *February* 1343, and of breaking it in ſuch a ſcandalous manner before the enſuing *Eaſter*, and yet find Counſellors to adviſe, and Writers not only to palliate, but applaud the Thing? But King *Edward* was by that very Truce diſengaged from the Incumbrances of a *French* War, and he thought that the *Scots*, upon the ſame Account, being unguarded againſt the Storm they could not foreſee, would violate the Faith due to their Allies, or fall a Prey to his mighty Power.

Edward III. his eighth Expedition into *Scotland.*

But he was miſtaken; they had been taught by himſelf how little they had to depend upon him, and were ready to take the Fields as ſoon as he: Nay, they had actually laid Siege to the Caſtle of *Lochmaben* before his Arrival at *Berwick*. 'Tis true they took not the Place, which was valiantly defended by Sir *Walter Selby*, and ſome others, as the Biſhop of *Carliſle* and the Lord *Thomas Lucy*, who haſted to his Aſſiſtance; but they made ſuch a formidable Appearance in oppoſition to his Deſigns, that, forgetting his late Vows to the contrary, he was fain to acquieſce in the Terms formerly agreed to; and ſo the Truce was renewed for two Years. While the Treaty was on foot, ſome Skirmiſhes happened between the two Armies, and in one of them the Lord *Ralph Nevill* of *Raby* was taken Priſoner and carried to *Dumbar*, whence ſoon after he was redeemed. But

The Truce renewed.

This laſt Truce was no better kept than the former: For the King of *England* finding, that it was equally impoſſible to detatch the *French* from the *Scots*, and the *Scots* from the *French*, made uſe of it only to ſtrengthen his Intereſt by other Abettors. With this View he endeavoured to debauch the brave, but diſobliged Lord *William Douglas* (*b*) from his Duty; carried on his Intrigues with the famous *D'Arteville*, and the next Year 1344, having called a Parliament to meet him on the 7th of *June*, he laid before them (*c*) the ſeveral Breaches of the Truce, made, as he ſaid, by his *Adverſary* of *France*; for he would not give *Philip* the Title of King. He complained particularly of the Execution of the Lord *Cliſſon* and his Aſſociates, and that the *Scots*, in Confederacy with his Adverſaries, had openly declared, "That when he ſhould give

A.D. 1344.

"them

(*a*) Fœd. Angl. Tom. V. p. 357. (*b*) p. 357. (*c*) Tyrrel Vol. 3. p. 477.

" them notice, they would have no more regard to the Truce, but " would forthwith march into *England* and do all the Miſchief in " their Power. " Nay I find, that in the following Month of *Auguſt* (*a*) he aſſerted, that the *Scots* had invaded *England* ſeveral times; and therefore he gave an Army to the Lord *Baliol*, with Orders to march againſt them, and to depreſs *their Malice*: So that, it ſeems the Truce was yet worſe obſerved by the *Scots* and *Engliſh*, than by the *Engliſh* and *French*. But the Parliament having, upon certain Conditions, granted what Aids were thought neceſſary, at length he ſent over a Defiance to (*b*), that is, he declared open War againſt the King of *France*; and the Earl of *Derby* his Lieutenant in *Gaſcony*, entred upon Action with ſo much the greater Succeſs, becauſe the *French* Court had been amuſed with Hopes that the Popes exhortatory Letters to Peace would have their deſigned Effect. In *Bretaign*, (where *John* Earl of *Montfort*, being conditionally delivered from Priſon,) againſt his Promiſe, firſt renewed the War, then died of a Fever, the *Engliſh* Arms were not ſo ſucceſsful; and in *Flanders* King *Edward* met with ſuch a Diſappointment as was like to have quite ruined his Reputation in that Country. The ſeditious *D'Arteville* had invited him and his eldeſt Son, the afterwards moſt heroick Prince of *Wales*, to come over, upon Aſſurance that he would prevail with the deluded People to diſinherit their own Earl and ſubmit to the Prince, who was henceforth to be ſtiled the Duke of *Flanders*: A moſt illegal and unjuſt Project, but ſuch as King *Edward* made no Scruple to comply with. He lay at Anchor in the Harbour of *Sluice*, and kept an open and magnificent Table on board, when the Overture was made to the neighbouring Cities and Towns concerned in the Matter: But they deteſted it, as it deſerved, and the Citizens of *Ghent* gathering together in a tumultuous manner, ſet upon the Houſe of *D'Arteville*, and, notwithſtanding the *Engliſh* Guard that attended his Perſon, aſſaſſinated him, his Brother, his Nephew, and about Eight more of his principal Adherents; and no Wonder that the Raiſers and Abettors of Rabbles, ſhould fall unpitied Sacrifices to the Rage which themſelves had inſpired. King *Edward*, who ſtill lay at *Sluice*, expecting the Event of his Chimerical Attempt, returned to *England* upon the News of this Murder, which he vowed to revenge; but was afterwards appeaſed, when Deputies from *Flanders* aſſured him, that tho *D'Arteville* was dead, yet they would continue his moſt affectionate Allies, and ſerve him in every thing that did not tend to the Exheredation of their immediate Sovereign the Earl of *Flanders* and his Heirs.

The Truce again broken.

A.D. 1345.

The Death of *James d'Arteville.*

This unjuſtifiable (*Engliſh* Authors call it only inconſiderate) Action of King *Edward* had one good Effect, it diverted his Forces, and hindred himſelf from marching at their Head to *Scotland*, whither

(*a*) Fœd. Angl. Tom. V. p. 424. (*b*) Ibid. p. 453, 454.

whither probably his extreme Paſſion to humble that Kingdom had led him; but the Time deſtined for the further Puniſhment of her Sins, tho very near, was not yet come. On the contrary the *Scots* inſulted *England*, as they had been wont to do theſe ſeveral Years bypaſt. They (*a*) invaded *Weſtmorland*, and paſſing over the River *Ulles*, burnt *Penreth*, *Carleton*, and all the Villages and Towns in the Neighbourhood; yet (if we may give Credit to *Engliſh* Authors) *returned, or rather fled home to their own Country, without getting any thing but the ill Reputation of Truce-Breakers.* An abſurd and ridiculous Obſervation, ſince by the known and avowed Maxims and Treaties of thoſe Days, no Truce could ſubſiſt between *Scotland* and *England*, while there was an open Breach between *England* and *France*. But why did the *Stots* retreat with ſo much Precipitation? For no other Reaſon, that I can ſee, but becauſe one of their Officers Sir *Alexander Strachan*, with a ſmall Party of Foragers under his Command, had been cut off by the ſuperior Forces of *John Kirkeby* Biſhop of *Carliſle*, the Lord *Thomas Lucy* and Sir *Robert Ogle*. This was all the Loſs the *Scots* ſuſtained on that Occaſion; and yet we are told, that it diſpoſed King *David* to admit of a Truce, which preſently enſued upon it. *Engliſh* Authors ſay ſo, but do not advert, that on the 9th of *January* 1346, but two or three Months after the *Scottiſh* Invaſion, which happened in *Autumn* 1345, King *Edward* (*b*) appointed no meaner Perſonage than (whom he called) *Edward* King of *Scotland*, to ſtay on and defend the Borders of *England*: Nay, he ordered Money to be advanced to him and his Soldiers upon that Account; which had been an unneceſſary Expence, if there had been a Truce at the time. But that there was none, or that it was very ſhort, evidently appears from a ſubſequent Declaration of the ſame King *Edward*, dated the 20th of the following *Auguſt*, wherein, without making any Complaints of the Breach of a Truce, he (*c*) tells his Subjects, that the *Scots* had lately invaded *England*, and were bringing new Forces from the *Iſles* and elſewhere, in order to a ſecond Irruption. From all this it is plain, that the *Scots* did all this while what lay in their Power (and 'tis a Pity that we know not the Detail of what they did) to haraſs and moleſt *England*, and by conſequence to divert her Forces from *France*. But in vain; Providence had decreed, that *France* muſt be humbled, and King *David* once more reduced to the laſt Extremity.

The *Scots* invade *England*.

A.D. 1346.

What occaſioned this ſecond Eclipſe of that Prince's and the Nation's Glories, was the invincible Aſcendant of the *Engliſh* Monarch, whoſe every Attempt was from this Year to very near the End of his Life attended with amazing Succeſs. I am loath to digreſs from *Scots* Affairs, yet cannot forbear giving a ſhort Account of the heroick Atchievements of an Enemy, becauſe at the ſame Time a very great Man, and an *Engliſh* King. *John* Duke of

(*a*) Tyrrel Vol. 3. p. 492, 493. Barnes p. 327, 328. (*b*) Fœd. Angl. Tom. V. p. 489. (*c*) Ibid. p. 524.

of *Normandy* eldeſt Son to King *Philip* (*a*) had of late entred *Gaſcony* with an Army much ſuperior to that of the Earl of *Derby*; and having regained moſt of that Country, began to entertain Thoughts of higher Matters, and to project no leſs than the Conqueſt of the Kingdom of *England*. This was indeed a daring Attempt, but not ſo great as that of King *Edward* upon *France*; For a Duke of *Normandy*, with the concurrence of but that one *French* Province and ſome few Auxiliaries from elſewhere, had ſubdued *England* before that Time; and what had been, he thought might be. Wherefore in the Month of *March* (*b*) he entred into a formal Contract with the *Norman* Barons, who upon certain Conditions, obliged themſelves to furniſh him with as much Money and as many Men, as they hoped would effect the Thing; which when done, he bound himſelf by an expreſs Clauſe to do right to the King and Kingdom of *Scotland*. Whether King *Edward* was adviſed of this Treaty or not, I cannot tell, but if he was, he took very effectual Meaſures to prevent its Conſequences. He and his Army, conſiſting of between thirty and forty Thouſand Men, embarked with a Deſign to ſail for *Guyenne*, to the Aſſiſtance of the Earl of *Derby*: But it was his good Luck to be detained by contrary Winds near *la Hogue* in *Normandy*, when a *French* Refugee, one *Geofrey*, a Son of the Houſe of *Harcour*, adviſed him to land at that very Place, where it was certain that he was not expected. He did it without Difficulty, and finding the Country entirely defenceleſs, he carried all before him till he came almoſt in View of the Walls of *Paris*. But, after he had continued there five Days, fearing to be incloſed between the Rivers *Seine* and *Oiſe*, he thought fit to retreat, while it was yet in his Power. And now King *Philip* had drawn an Army together, capable, (if tumultuous Numbers were to be depended upon,) to have cut the much inferior Forces of King *Edward* to Pieces. *Froiſſard* tells us that the *French* were eight to one of the *Engliſh*; yet a Thouſand concurring Circumſtances, which it is not my Province to relate, made the latter victorious in a general Engagement at *Creſſy*; and ſuch a Victory it was, as made the *Engliſh* Valour famous through all Chriſtendom, raiſed the Reputation of King *Edward* above that of any Sovereign or General then living, and proved, that if he was to be out-done either in Courage or Conduct, it could only be by his own Son the Prince of *Wales*. The Enemy was entirely defeated, in ſo much that it was thought ſtrange that King *Edward* did not return to *Paris*, and flatter himſelf with the Hopes of making good his Claim to the whole Kingdom: But, as formerly in *Scotland*, ſo now the late Experience he had got by traverſing *France*, made him to know that it was one thing to over-run, and another to conquer a Nation. He found that neither the *French* nor *Scots* were of Humour to take on a foreign Yoak, becauſe worſted in Battles; and being happy that he had made ſo glorious an

John Duke of *Normandy* takes Meaſures for conquering *England*.

Edward III. over-runs ſeveral Provinces of *France*.

Gains the Battle of *Creſſy*.

(*a*) Echard, p. 359. &c. Orleans, liv. 5. p. 38, 39, &c. (*b*) Fœd. Angl. Tom. 5 p. 505, 506.

Atonement for his Raſhneſs, in expoſing himſelf and his Army to be pent up and ſtarved in a Country averſe to his Deſigns, and rendred much more ſo by the dreadful Effects of Fire and Rapine which he had left behind him, he reſolved to proſecute the War, but with leſs Danger and more ſolid Gain. With this View he ſet himſelf to reduce the ſtrong and well fortified Town of *Calais*, which, ſince it was in View of his *Engliſh* Territories, he knew would be an eaſy Inlet to *France*, as often as Occaſion ſhould require. He had no ſooner inveſted the Place, but it was plain that he had taken the moſt prudent Meaſures: For King *Philip* was again at the Head of an Army of 200000 Men, and was conſequently capable to have cut him off, had he been as before in the heart of *France*, but could neither force the impregnable Trenches he had made, nor ſtraiten him for want of Proviſions, ſince he was very eaſily ſupplyed with all Neceſſaries from his own Dominions. Wherefore, the beſt Expedient that could be thought of to ſave *Calais*, was to attack *England*, and this the King of *Scotland* determined himſelf to do with all imaginable Expedition and Vigour.

Beſieges *Calais*.

That Monarch had already made an inroad into the Enemies Country this Summer, and that he was abundantly ſucceſsful we may certainly conjecture from the Orders King *Edward* ſent from *France* (*a*) to all *Engliſhmen* capable to carry Arms, to march forthwith againſt the *Scots*, who, he ſays, were preparing to invade *England* a ſecond Time. He did yet more to diſſipate the approaching Storm that was like to ſully the Luſtre of his recent Laurels: For (*b*) he diſpatched the Lords *Moubray*, *Roſs* and *Lucy* to King *David* with Orders (ſay the *Engliſh*, but falſly) to deſire that he would not break the Truce, which, as I have already evinced, was not in Being at the Time. The *Scots*, with more probability, tell us, that they ſued for a perpetual Peace, and, to obtain it, offered not only to reſtore the Caſtle and Town of *Berwick*, but alſo to deliver up the great Author of the War, *Edward Baliol*. They add, that the wiſer Part of the King's Council, and in particular the Lord *William Douglas* of *Lidſdale*, were for acquieſcing in the Terms propoſed; the rather becauſe of an ominous Quarrel that fell out between *Reginald* Lord of the *Iſles* and *David* Earl of *Roſs*, in which the former with ſeven of his Followers was killed, and the latter obliged to flee from Juſtice, to the great Diminution of the Royal Army, and Diſcouragement of all Sorts of People, who (dreading little leſs than a civil War) withdrew in great Numbers to provide for the Safety of their reſpective Eſtates. This Story many be true in Part, but, as it is evident from an unqueſtionable Record (*c*) dated the 4th of *November* 1346, that the then Lord of the *Iſles*, at leaſt of the greater Part of them, was called *John* and not *Reginald*; and that this

(*a*) Fœd. Angl. Tom. 5. p. 524. (*b*) Buchan. p. 302. Boet. fol. 324, &c. Holinſhed, p. 349, &c. Barnes, p. 376, 377, &c. Tyrrel, Vol. 3. p. 533, 534, &c. (*c*) Fœd. Angl. Tom. 5. p. 539.

this *John* was alive after the Expedition was over; ſo it is highly improbable that the Majority of the King's Council could be ſo highly unjuſt and ungrateful to *France*, or ſo fooliſhly prudent as to accept of any Terms, by which the King of *England* might be in a better Capacity to attack, and the King of *France* rendred unable to aſſiſt them. 'Tis true that *France* was never ſo low, nor *England* ſo formidable as at this Time; and for that very Reaſon (to ſay nothing of other Conſiderations) it was unqueſtionably the Intereſt of *Scotland* to exert her utmoſt Vigour in Oppoſition to the prevailing Power. But moſt Writers, regardleſs, or ignorant of the genuine Circumſtances and Series of Affairs, are inclinable to ſhew their own Parts, and, (as they think) to vindicate the Honour of their Nation, by diſapproving all ſuch Counſels as have not been attended with Succeſs. For my part, I do not believe, that, as Matters ſtood, any honeſt *Scotſman* (and, I am ſure, the Nation was heartily honeſt in thoſe Days) could give his Opinion againſt making a Diverſion in Favour of their diſtreſſed Allies; tho it may be that the more cautious and prudent among them did diſſwade the King from coming to an univerſal Engagement, the rather becauſe in Caſe his Army ſhould chance to be worſted, he could not hope as formerly for any conſiderable Aſſiſtance from *France*. However, King *David* was bent upon his intended Reſolution, and in order to it rendevouzed all the Forces of the North at *Perth*, in the Beginning of *October*, about a Month after King *Edward* had laid Siege to *Calais*. From *Perth* he marched to *Dumfermling*, from thence to *Stirling*, and ſo on to *Edinburgh*, where meeting with the Forces by South the *Forth*, he again muſtered all his Men, and found them to be (ſay *Engliſh* Authors, always ready to magnify the Numbers of their Enemies when worſted by them,) 3000 Men at Arms, Knights and Eſquires, 30000 common Soldiers, all mounted on Geldings and Galloways, and 15000 Croſs-bows of *Genoa*, beſides the *French* Auxiliaries. With this formidable Army he marched from *Edinburgh* to the Borders, where, before he ſet Foot within the *Engliſh* Pale, he made many Knights and ſome Noblemen, among the reſt the Lord *William Douglas*, Son and Heir to the Lord *Archbald*, who had been killed in the Battle of *Halidonhill*, was created Earl of *Douglas*, and appointed to command one Brigade.

King *David* invades *England*.

On the 6th of *October* the whole Army entred *England*, and inveſted the Fortreſs of *Lidel*, which, after three Days Siege, they took by Storm, and put all the Garriſon to the Sword; and among the reſt Sir *Walter Selby* the Governor and his two Sons, notwithſtanding he had Aſſurance of his own and their Lives from the *Scots* Officer to whom he gave up his Sword. Perhaps the King had previouſly ordered no Quarters to be given, which he might juſtly do, ſince 'tis owned that the Caſtle was taken by Force; and it may be that the Story is entirely falſe, and inven-

Takes *Lidel*.

ted by ſome *Engliſh* Writer, to counter-ballance the cruel Action committed by King *Edward* at *Berwick* upon the Children of Sir *Alexander Seton*: Tho, to ſay the Truth, I cannot but acknowledge, ſince *Scots* Authors have done it before me, that King *David* (tho otherwiſe a moſt merciful Prince) did, during the whole Courſe of this Expedition, either command or permit ſuch Things as are by no Means juſtifiable. But King *Edward* had that very Year done the like in *France*; and 'tis probable that he had a mind to retaliate the Miſeries the *French* had ſuffered upon the *Engliſh* who were the Authors of them: Beſides, he hoped that the Clamours of the People would reach the Ears of their Maſter at *Calais*, and draw him from thence to their Relief; and this was the grand Deſign he had in his View.

Ravages all the North to *Durham*.

After the taking of *Lidel*, the Army marched to *Lenercoſt*, where they ſpoiled the Abbey of all its Wealth; and ſo paſſing the River *Irthing*, went by *Naworth-Caſtle*, and leaving *Cumberland*, entred on the other Side of the *Picts* Wall into *Northumberland*, waſting all along with Fire and Sword till they came to the Priory of *Hexam*, which was alſo pillaged and ſacked: But the Town was by the King's Command ſaved from Fire; for he was adviſed to ſpare four Places in his Way to *York* whither he deſigned to go, that they might ſecure him in his Retreat, and ſerve him as ſo many Store-houſes to lay in the Spoils of the neighbouring Countries, and theſe were *Hexam*, *Corbridge*, *Durham* and *Darlington*. He lay three Days at the Place I named firſt, and from thence marched to *Elcheſter* beyond the River *Derwene*, and ſo entred the *Biſhoprick* which he laid entirely waſte to the very gates of the City of *Durham*. At length he encamped within three Leagues of it, hard by the Wood of *Bear-park*, and not far from *Nevils-croſs*. And here, ſays *Boethius*, he was admoniſhed in a Dream to forbear doing harm to the Partimony of St. *Cuthbert*, that is, to the Goods belonging to the Abbey of *Durham*; but he conſidered Dreams to be what they generally are, Sallies of the Imagination, and Chimera's of the Night, and therefore ſent out ſtrong Detachments to raiſe Contributions, deſtroy the Country, and fetch in Booty indifferently from all Quarters. Theſe Parties ruined many of the Farms belonging to the Abbey, and would have done more, had not ſome of the Monks come to the Camp, and made an Agreement for themſelves and the reſt of their Fraternity, to lay down the very next Day the Sum of 1000 *Lib. Sterl.* on Condition that the Reſidue of their Mannors ſhould be ſpared. But by this Time the *Engliſh* had got an Army together; and *Froiſſard* a *Fleeming*, to magnifie the Courage of his Country-woman Queen *Philippa*, has thought fit to ſet her at the Head of it, and to deſcribe her as a very *Virago* or *Amazon*. *Scots* Authors have known nothing of the Matter; and the *Engliſh*, (at leaſt all of them that I have ſeen, except Mr. *Echard* and Mr. *Barnes*, who are taken with *Froiſſard*'s Romance) unwil-

unwilling to ſhare their Glories with Foreigners, tell us, that the Lord *Henry Percy* commanded in chief. That Nobleman was there indeed, and no doubt had a very conſiderable Command; but I have Reaſon to think that the Lord *Edward Baliol* was Captain-General; for, ſince he was accounted King of *Scotland* among the *Engliſh*, 'tis not to be ſuppoſed that he would ſerve under any in *England* but the King of *England* himſelf: Beſides, the Lord *Percy*, by reaſon of the Lands he once had in *Scotland*, and ſtill pretended to, was ſubject to the Lord *Edward*, under whom he had ſerved from the very Beginning of the War. This I have ſhewed from *Engliſh* Hiſtorians and Records; as alſo, that in King *Edward*'s Abſence the Lord *Baliol* was for the moſt part commiſſioned to command in chief all the Forces employed in the *Scots* Wars, and I no where find, that any other but King *Edward* himſelf commanded above him where he was preſent; nay, I have already taken notice, that in *January* this very Year (*a*) Money was ordered him towards paying his Army on the Borders, and, to ſay the Truth, deſervedly; for, not to mention his eminent Quality, he muſt be allowed the Preference upon the Score of his perſonal Merit, which was improved by long Experience, and no mean Succeſſes. The *Engliſh* are no leſs miſtaken with reſpect to the Numbers of their Army, than to the General that commanded it; for they talk of no more than about 16000 Men, whereas it is more probable, that they were by far more numerous than the *Scots*. I am ſure, that *England*, *Ireland* and *Wales* could not be ſo much depopulated by the Army under King *Edward's* Command in *France*, which did not amount to 40000 Men, as not to be able to raiſe twice that Number in Defence of their own Habitations; and that all the King's Subjects in *England* (*b*), and no doubt elſewhere, had been previouſly commanded to take Arms in Oppoſition to the *Scots*, I had Occaſion before this to tell. How well theſe Orders were obeyed we may eaſily conjecture; for 'tis owned, that not only the Laicks that were by Law obliged to fight when required, but alſo the Clergy-men, Biſhops, Prieſts, Chaplains, Fryars, *&c.* moved by the Love of their Country, and perhaps yet more, by the Deſtruction of their Lands, took the Field, and were all (ſays an *Engliſh* Author) (*c*) *Good tall Trencher-men, ſuch as were not afraid of a crack'd Crown, tho they had no hair to hide the Wound.* Beſides theſe, a great many experienced Officers and Soldiers were detatched from before *Calais*. Yet, as numerous and brave as they were, their Generals thought fit to propoſe Terms of Accommodation before coming to an Engagement; but King *David*, fired by his Youthful Courage, and an Emulation of his Father's Glories, would neither hearken to the Terms propoſed, nor retire. And in this, I doubt not, but he acted contrary to the Advice of his wiſeſt Officers, who could not fail of uſing theſe ſame Arguments,

Is oppoſed by a ſuperior Force under the Conduct of the Lord *Baliol*.

(*a*) Fœd. Angl. Tom. V. p. 486. (*b*) Ibid. p. 524. (*c*) Aiſcue's Hiſt. Scot. p. 179.

that in the Year 1342, when he was ſtated much after the ſame Manner, prevailed with him to return with the Spoils of his Enemy's Country, rather than to hazard his own. But ſince he would needs fight on this fatal Occaſion, his Subjects did their Duty, that is, they prepared themſelves to fight in conjunction with him.

Boethius and *Buchanan* differ in their Accounts concerning the Order in which the *Scots* Army was drawn up; and ſince I know no more of the Matter than they, I ſhall ſay nothing of it, ſave, That the King in Perſon commanded one Battalion, where were the *French* Auxiliaries, and the Flower of the *Scottiſh* Nobility; the Lord *Robert Stewart* and the Earl of *March* another; and the Earls of *Murray* and *Douglas* a Third. The Enemy, on the other Hand, were divided into four (ſome ſay five) great Bodies: The Firſt was commanded by the Lord *Henry Percy*, (who, by the Miſtake of *Scots* Authors, is ſtiled Earl of *Northumberland*, whereas it is certain (*a*), that his Grandſon was the firſt of his Family that was dignified with that Title:) He was backed by the Biſhop of *Durham*, Earl of *Angus*, *&c.* The Second by the Archbiſhop of *York*, Biſhop of *Carliſle*, the Lords *Neville* and *Haſtings*; the Third by the Biſhop of *Lincoln*, and the Lords *Moubray*, *Leyburn* and *Rokeby*; the Fourth by the Lord *Edward Baliol*, the Archbiſhop of *Canterbury*, *Roſs* of *Hamlake*, *&c.* Beſides all which, there was, (if *Froiſſard* may be believed,) a *Cors de Reſerve*, appointed to guard the Perſon of his *Amazon* Queen, who, if ſhe was preſent, did, in my Opinion, run no great Hazard, ſince attended by ſo many Prelates and Noblemen, and they by ſuch Numbers of the inferior Gentry and Commonalty, as we muſt believe to have followed their Example, and taken Arms, becauſe influenced by them, as well as commanded by their King. Nor is it amiſs to obſerve, that the *Scots* in the *Engliſh* Army may be reaſonably ſuppoſed to have been numerous; for we ſee, that the Lord *Baliol* himſelf, the Earl of *Angus*, and the Lords *Moubray* and *Roſs* are ranked among their principal Commanders: Nay, it appears plainly from the Detail of the Action, as Mr. *Barnes* and Mr. *Tyrrel* deſcribe it, that the Fate of the Day was determined by the Valour and Conduct of the Lord *Baliol* and his Party: For, ſay they, the Lord *Robert Stewart* preſſed ſo very hard upon the *Engliſh* Archers, that, after forcing them to open to the Right and Left, he fell upon the Lord *Percy*'s main Body, and his Men were doing great Execution with their ſharp Battle-Axes and broad Swords, when the Lord *Baliol* advanced with 4000 Horſe on a round Trot, and overpowered the Lord High Steward and Earl of *March*, in ſo much, that theſe experienced Officers thought fit to retreat. They add, that having by this means got clear of the firſt Battalion of the Enemy, he attacked the Flank of the ſecond, where his Rival King *David* was

Loſes the Battle of *Durham*.

(*a*) Dugdal. Vol. 1. p. 279.

was in Perſon, and had his Front already engaged with the Van of the *Engliſh*. That both theſe Princes, facing each other with their Swords in their Hands, fought with extraordinary Courage, we cannot doubt, ſince we know that they contended for no leſs than a Diadem. All own that King *David* did Wonders, and that he failed neither in the Duty of a good Captain or valiant Soldier. He rallied his Men again and again, who being equally animated by his Words and Deeds, and aſhamed to abandon ſo gallant a Maſter, ſtood by him cloſe in a Ring till not above Fourſcore of them remained alive: Yet the young Heroe, tho ſurrounded on all Sides, and unable to make his Eſcape, ſcorned to ask Quarters, and had certainly been killed on the Spot, had he not been known by one *John Copland* a Gentleman of *Northumberland*, who at length got in upon him, and deſired him to yield; which yet he would not do, till after receiving two Wounds, and being by Multitudes diſarmed, he gave ſuch a Blow with the Gauntlet he had on his Hand to *Copland*, as falling on his Mouth ſtruck out two of his Teeth. So ſay the Generality of Hiſtorians; only one *Engliſh* Writer, cited by Mr. *Tyrrel*, tells us, that the King finding the Day irrecoverably loſt, and being wounded by an Arrow, thought to have made his Eſcape, but was purſued by the valiant *Copland*, (who commanded an Hundred Men at Arms,) and made a Priſoner near a Place called *Merrington*. If ſo, 'tis no great Matter; tho' King *David* had not been wounded, he could not have been blamed for flying, when all about him were killed. His Fault was that he did not retreat, as the Great Steward and the Earl of *March* had done, in time. Theſe two, and none but they, of all the Officers in the *Scots* Army, had the good Luck to bring off any of their Men; for the Body commanded by the Earls of *Murray* and *Douglas* was, like that commanded by the King, entirely routed.

Is made a Priſoner of War.

This unfortunate Battle, by the moſt certain Accounts we can have of it, was fought near *Durham*, on the 17th of *October* or St. *Luke*'s Eve, which that Year 1346 fell on a *Tueſday*; tho others (following *Froiſſard*) place it on a *Saturday* the 30th of *September*: Which I believe is a Miſtake, but nothing ſo material as that of ſuch *Scots* Authors as following *Boethius* ſay, that this Misfortune happened to the Nation *in Anno* 1348: For, as Mr. *Barnes* very well obſerves, the contrary is demonſtrable, not only from the joint Teſtimonies of Records and Hiſtories, but from all other Concurrences in the World. The Fight continued at leaſt three Hours, that is, from Nine in the Morning till high Noon; which ſhews how ridiculouſly *Knighton* has aſſerted, that the *Engliſh* loſt but 4 Knights and 5 Eſquires. Better Authors of his own Country (*a*) confute him, and own that the Victory was dear bought; but add, that of the *Scots* no leſs than 15000 were killed, and among theſe *John Randulph* Earl of *Murray*, the Earl of *Strathern*,

(*a*) See Barnes p. 382.

Names of the *Scots* Gentry killed at the Battle of *Durham.*

the Lord *David Hay* Conſtable, the Lord *Edward Keith* Marſhal, together with both the Chancellor of *Scotland* and Chamberlain, the Lord *Philip Meldrum*, the Lord *John Stewart* and *Alan Stewart* his Brother, *Maurice Murray*, *John Crawford*, *Robert Leſly*, *William Halyburton*, *Reginald Kirkpatrick*, *John Mireton*, *Patrick Herring*, Sir *Michael Scot*, *Roger Carron*, Sir *Alexander Gordon*, Sir *William Fraſer*, Sir *John Lindſay* of *Glenesk*, Sir *Thomas Vaux*, Sir *Dougal Campbel*, Sir *Alexander Bodeval* a brave Gentleman who bore that Day the King's Standard, and Sir *Alexander Ramſay*, for his great Proweſs commonly called *the Flower of Chivalry*, who, with many others, fell by the Side of his Royal Maſter; beſides ſeveral *Frenchmen*, namely Sir *Humphrey Blois*, Sir *Robert Maltalent*, Sir *John de la Moir*, and Sir *John Bonville*. To be ſhort, the Numbers of the Slain were ſo many, and the *Engliſh* Victory was ſo entire, that one of their Writers (*a*) forgetting the no leſs equal or greater Loſſes ſuſtained by the *Scots* at *Duplin* and *Halidon*-Hill, (which nevertheleſs their undaunted Courage did retrieve,) is pleaſed to aſſert, "That "had his Countrymen joined in a cloſe Purſuit, and not been di- "ſtracted in taking Priſoners and Plunder, that Day had put an "End to the obſtinate Rebellion of the *Scots* Nation, whoſe "very Name had been blotted out of the Land of the Living." A falſe and ſcurrilous way of ſpeaking, and at the ſame time an ingenuous and fair Intimation, that the *Engliſh* meant not at the Bottom to ſet King *Edward Baliol* (as they called him) upon the *Scottiſh* Throne; but to extirpate even the Being and Name of the Nation. To ſay the Truth, they durſt not (*b*) hazard the Victory they had got by an inconſiderate and raſh Purſuit: For they knew, that the Lord High Steward and Earl of *March*, (who retreated in good Order) might deſign to trick them into an Ambuſh. To take many Priſoners was ſafer, and the Gain they expected from the Ranſoms of the Captivated more ſolid. Indeed great Numbers had the Misfortune to fall into their Hands, and I find the following Names upon Record (*c*). The King, the Biſhops of St. *Andrews* and *Aberdeen*, the Earls of *Fife*, *Sutherland*, *Douglas* and *Menteith*, to whom others add the Earls of *Carrick* and *Wigton*, the Lords *James Douglas* (Brother to the Earl of that Name,) *Malcolm Fleming*, *Robert Veſcy*, *William Kinaſton*, *William Ramſay*, *David Banant*, *John Sinclair*, *William Moubray*, *Henry Ramſay*, *Thomas Boid*, *Walter Halyburton*, *William More*, *Gilbert Carrick*, *Nicholas Clopodolian*, *Patrick Dumbar*, *William Garden*, *John Maxwel*, *Fergus Crawford*, *Alexander Steel*, *David Annand*, *Mackpeth*, *Duncan Mackdonald*, *William Livingſton*, *David Fitz walter*, *Fitz-gilbert*, *Andrew Campbel*, *John Preſton*, *George Abernethy*, *John Stewart* de *Dalſwinton*, *Walter Moign*, *Thomas* de *Lippes*, *Lawrence Gilibrand*, *Adam Fullarton*, *William Baillie*, *William Murray*, *John Giffard*,

Names of the *Scots* Priſoners taken at the ſame Battle.

(*a*) Walſingh. p. 158. (*b*) Vid. Tyrrel Vol. 3. p. 536. (*c*) Barnes p. 382. Fœd. Angl. Tom. V. p. 533, 534, 545.

Giffard, *Robert Wallace*, *Bartholomew* de *Dermond* perhaps *Drummond*, *Robert Cheſholm*, *David Graham*, *John* de *Valence*, *Euſtach Lorrain*, *Peter Heryng*, *&c.* There were many others, who, it ſeems, agreed upon certain Terms with thoſe that took them, and thereby found Means to get home; but King *Edward* being advertiſed of this (*a*), gave ſtrict Orders that none ſhould henceforth get leave to eſcape without his own Permiſſion, and appointed thoſe I have named to be conducted to the Tower of *London*, or diſperſed through different Places of the Kingdom. Upon ſome of them he was very ſevere, particularly *John Graham* Earl of *Menteith*, and *Duncan Fife* Earl of *Fife* (*b*); the firſt had formerly taken an Oath of Allegiance to himſelf, and the laſt to the Lord *Baliol* as King of *Scotland*: For which Reaſon he appointed them both to be tried by Law, and, when declared Traitors, to be hanged, beheaded and quartered, their Heads to be put on the Bridge of *London*, and their four Quarters to be expoſed in the four principal Towns of the North, *viz. Everwyk*, *Newcaſtle*, *Carliſle* and *Berwick*: Yet, in regard the Earl of *Fife* had the Honour to be of the Blood-royal of *England*, he commanded the Execution of the Sentence pronounced againſt him to be deferred till his further Orders; ſo that it ſeems the Earl of *Mentcith* did actually fall a Sacrifice to his Reſentment, and 'twas lucky, that but few *Scotſmen* beſides himſelf had, in that reſolute Age, daign'd to ſubmit even when conquered; elſe we find that King *Edward* III. could have found in his Heart to react the Tragical Part of his implacable Grandfather King *Edward* I. and thouſands of Scaffolds had been tainted with the moſt generous Blood in the World: I may juſtly ſay ſo of that which run in the Veins of our then *Scots* Patriots, ſince even their Overthrows, as well as Victories make good the Aſſertion. As for King *David* himſelf, there was much Conteſt about him: The Queen would needs have his Perſon to be delivered up to her; but Eſquire *Copland*, knowing what a Treaſure he had got into his Hands (*c*), had with all Expedition carried him out of the Field of Battle to the ſtrong Caſtle of *Ogle*, about twenty Miles diſtant, where, having ſecured him againſt any Violence that could be offered, he plainly told, "That he would not part with him at "the Deſire of any Man or Woman living, till he had the King "his Sovereign's Orders. At length he was called over to the Camp before *Calais*, where King *Edward* ſtill lay; and being Knighted and rewarded nobly, as indeed he deſerved, he was ſent back, and, as commanded, waited upon King *David* with an Army of 20000 Men from the Caſtle of *Ogle* to the Limits of *Yorkſhire*. When there, on the 20th of *December*, he delivered his Royal Priſoner to Sir *Thomas Rokeby* high Sheriff of that County, by whom he was conducted to *London* with the ſame Pomp and Army. When he entred the City, he was mounted upon a ſtately black Courſer,

John Graham Earl of *Menteith* and *Duncan Fife* Earl of *Fife* condemned to die by the King of *England*.

King *David* conducted to the Tower of *London*.

(*a*) Fœd. Angl. Tom. V. p. (*b*) Ibid. p. 549, 550. (*c*) Barnes, p. 382, 383, &c. Tyrrel, Vol. 3. p. 537, &c

ſer, and was received by the Lord Mayor, Aldermen and Citizens with great Solemnity, every Company in their proper Liveries attending the Cavalcade from Street to Street, vaſt Multitudes of People following, and as many from Balconies and Windows beholding and admiring the manly Countenance and handſom Perſon of a Sovereign Prince, who, but of late had made them and all *England* to tremble for Fear, and was now by the Fate of War carried in Triumph to a Priſon, honourable indeed, but mortifying to the higheſt Degree.

A.D. 1347 In this Manner was King *David* tranſported to the Tower of *London*, which he entred on the 2d of *January* 1347, while his Rival, the Lord *Baliol* had very good Reaſon to think that he was now, if ever, a King. He had in the end of the laſt Campaign improved his Victory (*a*) as much as was poſſible: For he not only regained what the *Scots* had won in *England*, but following their broken Army over the Borders, reduced the Caſtles of *Hermitage* and *Roxburgh*, with all the Countries of *Annandale*, *Teviotdale*, *Tweddale*, the *Merſe* and *Ettrick* Forreſt, enlarging by this Means the Limits of the *Engliſh* Dominions to *Cockburn's-path* and *Soutry-edge*: And, as he had done all this without meeting with any conſiderable Oppoſition, (for the Great Steward now again made Guardian of the Kingdom, could not raiſe any thing like an Army for ſome Years afterwards,) ſo he thought to compleat the Conqueſt he had ſo fairly begun, by a powerful Invaſion in the Spring (*b*). With this View he entred *Scotland* by *Carliſle*, at the head of an Army of 20000 Men, and the Lords *Henry Percy* and *Radulph Nevill*, who ſerved under him this Year (*c*), and by Conſequence the laſt, with about the ſame Number, and at the ſame Time made an Incurſion by *Berwick* into *Lothian* and *Clydſdale*, which they laid waſte while the Lord *Baliol* did the like in *Galloway*, *Nidſdale* and *Carrick*. This done, they joyned their whole Forces together, and were on their full March to *Perth*, the Center and Capital of the Kingdom; when by the moſt humble Entreaties of the *Scots* they were prevailed with to grant them a Truce for one Year, on Condition that they ſhould inſtantly lay down to the Lord *Baliol* the Sum of 9000 *Lib. Sterl.* So ſay the two Authors I have quoted; nay, Mr. *Barnes* ſays more, but juſt then contradicts himſelf. For according to him, the *Scots*, (or, as Mr. *Tyrrel* more judiciouſly expreſſes himſelf, *ſome of the* Scots) *were at laſt compelled to yeild and accept the Lord* Baliol *for their King*. A downright Falſhood; for neither *Boethius*, *Buchanan*, nor *Holinſhed*, whom he cites for his Vouchers, tell us any ſuch Thing; nor do they ſo much as inſinuate, that the *Scots* ſued for, or obtained a Truce: And I beg Pardon to tell thoſe Authors, that the whole Story of this Truce, and of the Money advanced upon obtaining it

The L. *Baliol* reduces a great Part of the South of *Scotland* to his Obedience.

The Lord High Steward made a ſecond time Guardian of the Kingdom.

(*a*) Buchan. p. 302. &c. Boet. f. 325. (*b*) Barnes, p. 400. Tyrrel, Vol. 3. p. 544, 545. (*c*) Fœd. Angl. Tom. 5. p. 545.

it, is a meer Fiction. 'Tis true, that a Ceſſation of Arms was agreed to, and probably when the united Forces of the Lords *Baliol* and *Percy* were on their March to *Perth*; but it was brought about quite otherwiſe than they have related. The Manner was thus.

All this Time (*a*) the brave Governor, Garriſon and Citizens of *Calais*, notwithſtanding the whole Power of *France* could afford them no Relief, had continued to make an obſtinate Defence; and the Pope's Legates (who went inceſſantly from the *French* to the *Engliſh*, and back again from the *Engliſh* to the *French* Camp,) had never ceaſed ſolliciting an Accommodation; but in vain, till the Town, preſſed by Famine, was forced to ſurrender very near a Year after it had been beſieged. Then, and not till then, King *Edward*, ſatiated with Glory, and deſirous to reap the peaceable Fruits of his painful Triumphs, conſented to a Truce, which was finally agreed to (*b*) on the 28 of *September* 1347, and was to laſt till a Forthnight after the Feaſt of St. *John Baptiſt* next to come, that is, till the 8th of *July* 1348. The Allies of both Kings were comprehended in it, and the *Scots* in particular; but with this expreſs Clauſe, "That, if they ſhould chance to decline the "Terms, or ſhould afterwards incroach upon them, yet the Trea- "ty ſhould continue in its full Force with reſpect to *England* and "*France*." A needleſs Precaution, I humbly conceive, if a Year's Truce had been previouſly agreed to and ſought for by that Nation. Nay, there is another Article in the Treaty, which appoints it to be publiſhed by ſuch a Time on the Borders of *Scotland* and *England*: And this is another Proof, that there was no previous Truce between them at the time; neither did the *Scots* (as both Mr. *Barnes* (*c*) and Mr. *Tyrrel* ſeem to own) unanimouſly acquieſce even in this one, tho procured by the Sovereign Pontiff, and made by the King of *France*. However, it was by the ſame Mediation pieced up from time to time, and ſpun on by divers Prorogations (*d*) till the Nativity of St. *John Baptiſt*, that is, the 24th of *June* 1355; a great Length of Time, during which, tho there was no open War either between *France* and *England*, or *England* and *Scotland*, yet there were thoſe on all Sides, and in all Parts, where the Seat of the War had formerly been (*e*), who by brisk Onſets and ſudden Expeditions would break in upon one another, and commit Hoſtilities; which when ſucceſsleſs, the Guardian of *Scotland* (as did likewiſe the Kings of *France* and *England*,) never failed to diſown, yet were pleaſed with the Advantage that accrued from them when proſperous. Thus, to ſay nothing of the like Attempts made beyond Seas, we are told, that the next Year 1348 (*f*), the *Scottiſh* Nobility having made a Pro- A.D. 1348.

Calais taken by the King of *England*.

A Truce agreed to.

(*a*) Echard p. 364. Traitez d'entre les R. de Fr. & d' Angl. p. 225. (*b*) Traitez d'entre. Ibid. Fœd. Angl. Tom. V. p. 588, 589, &c. (*c*) p. 413. Tyrrel Vol. 3. p. 552. (*d*) Vid. Fœd. Angl. Tom. V. p. 636, 643, 660, 672, 716, 725, &c. Traitez d'entre, &c. p. 226, 240, 241, 242, 243. (*e*) Traitez d'entre, &c. Ib. Peré d' Orleans Liv. V. p. 50. Tyrrel and Barnes loc. citat. (*f*) Tyrrel Vol. 3. p. 557.

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poſal to redeem their King from Captivity, King *Edward* cauſed tell them, " That in regard they had violated the Truce, and " inſulted his Territories, he expected they ſhould firſt give him " Satisfaction for the Damages they had done. " This Anſwer, tho not unreaſonable, if what he alledged was true, yet ſo much irritated the *Scots*, that upon the firſt notice of it they roſe ſuddenly, and in conſiderable Bodies entred the Marches of *England*, ravaged the Country, fired Villages, put ſeverals of the Inhabitants to the Sword, carried others away Priſoners, and (ſay the *Engliſh*) ſet unreaſonable Ranſoms upon them. The Guardians of the *Engliſh* Borders ſeemed at firſt to wink at all this, but deviſed this Method of Revenge: They proclaimed a ſolemn Turnament to be held at *Berwick*, not doubting but that the *Scots* in the Neighbourhood would come thither in their wonted Bravery. They came accordingly, but were cut ſhort in the Way by a good Body of *Engliſh* Borderers that lay in Ambuſh for them. And not long after the Northern Lords in their Turn went into *Scotland*, and ſpoiled and ravaged the County of *Carrick*. By this Story it appears, that tho the Lord *Edward Baliol* had, after the Battle of *Durham*, over-run *Carrick*, *Nidſdale*, *Clydſdale*, *&c.* yet he had not been able to keep thoſe Countries in ſubjection, much leſs to force the *Scots* to accept of him for their King, as is vainly pretended; ſo that, it ſeems, the *Scots* were again Maſters of all their own Territories and Towns, except ſome few ſtrong Places, particularly *Berwick*, *Roxburgh*, the Caſtle of *Hermitage* in *Annandale*, and that of *Lanrick* on the Borders of *Galloway*; in which laſt *(a)* the Lord *Baliol* for the moſt part reſided with competent Forces, both to awe the Loyaliſts, and make good the Revenues of his paternal Eſtate in thoſe Parts.

Several Incurſions made by the *Scots* into *England*, and *vice verſa*.

If we may believe *Knighton* *(b)*, and thoſe that have copied after him, the enſuing Year 1349 the Truce was again violated by the *Scots*, but to their infinite Damage, ſince thereby they drew upon themſelves the only one Miſchief they had not yet both felt and conquered, I mean, a moſt terrible Peſtilence, that ſwept away *(c)* very near a third Part of the Nation. That terrible Diſtemper was raging in *England* at the time, and the Mortality was ſo great, that the *Scots* looking upon it as a particular Judgment ſent by God upon their Enemies, made a Scoff and Deriſion of what ſhould have been a Warning to themſelves, and in their ordinary Converſation would ſwear *by the foul Deaths of the* Engliſh. They did worſe, for hoping to reap Advantage from their Neighbour's Calamity, a great Number of them made a warlike Rendezvous in the Forreſt of *Selkirk*, and from thence invaded the North Borders; but they had ſcarcely breathed the *Engliſh* Air, when the mortal Poiſon infected their Spirits, and mingled with their Blood, in ſo much that about 5000 of them died on a ſudden;

Scotland and all the World infected by a terrible Peſtilence.

(a) Barnes p. 400. *(b)* p. 2600, n. 1. *(c)* Buchan. p. 303.

den; others were cut off in their Retreat by a ſtrong Body of the Enemy, and ſuch as got home brought the Contagion along with them. How true this is, I cannot tell; to me it looks like an invidious Fable, the rather becauſe we have it from an Author whoſe Partiality is obvious.

The Diſtemper was epidemical all over the known World, and 'tis therefore no Matter of Wonder that it ſhould have reached *Scotland* as other Places; and 'tis ridiculous to think, what Mr. *Barnes* ſays after *Knighton*, *That whereas other Nations with trembling ſat ſtill and waited for it, the* Scots *ſeemed ambitious to fetch it in among themſelves.* However, as there is no Miſchief but is attended with ſome Advantage, ſo it had this good Effect, that henceforth the Truce was in *Britain* and elſewhere more religiouſly obſerved. For, as the then Pope, who is owned (*a*) to have behaved like what he calls himſelf, *the Servant of the Servants of God*, and *the Vicar of Chriſt upon Earth*, omitted nothing in his Power that the moſt extenſive Charity could ſuggeſt for the Relief of the Sick; ſo he laid hold on the Opportunity to exhort all Parties concerned in the War, eſpecially the King of *England*, to avoid the ſevere Stroak of God's Vengeance, by putting an End to the Treaty of Peace already ſet on Foot. His Endeavours were ſo ſucceſsful, that A.D. 1354. after much ado, and ſome Years ſpent in fruitleſs Negotiations, the victorious King *Edward* (*b*) was willing to come to a final Agreement with *France*, (what he did with reference to *Scotland* I ſhall afterwards relate,) upon Condition, that he ſhould enjoy the whole Dukedom of *Gaſcony*, with the City of *Calais*, and the Counties of *Artois* and *Guiſnes*, for himſelf and his Succeſſors independently, without doing any kind of Homage to the Kings of *France*. This at firſt ſeemed fully agreed on, but at length was broken off by the *French*, who would not give up any Part of the Sovereignty of *France*; but to their further Calamity and Confuſion: For their inteſtine Diviſions were ſuch as rendred them unable to vye with the moſt flouriſhing Kingdom and greateſt King in the World; and King *Edward* was too politick to neglect any Opportunity of renewing the War with Advantage. What encouraged him to it was this.

Philip of *Valois* was now dead, and had left behind him his Son A.D. 1355. *John*, the Heir of his Misfortunes and Crown; and (*c*) King *John* had married the Lady *Jean* his Daughter to a very undeſerving Perſon *Charles* II. King of *Navarre*, who, by reaſon of his perverſe Nature, was ſirnamed *the Wicked*. But he had a great Eſtate in *France*, was a Prince of the Blood (*d*), ſince, by his Mother *Jean*, a Grandſon of *Lewis Hutin*, and by conſequence, (if the *Salick* Law had not obtained,) had a better Title even to the Crown of *France* than King *Edward*, whoſe Mother *Iſabella* was but the Siſter

Charles King of *Navarre* diſturbs the Kingdom of *France*.

(*a*) Barnes p. 435, 437, 438. (*b*) Echard p. 367. (*c*) Barnes p. 478, 479, &c. Orleans Liv. V. p. 52, 53, &c. (*d*) Traitez d'entre, &c p. 246.

of the ſame *Lewis Hutin*. But the *Navarrois*, as wicked as he was, did not offer to lay Claim to the Kingdom; he only purſued his Pretenſions (whether juſt or no, I do not enquire,) to ſome Lands then poſſeſſed by the Conſtable of *France*, whom, becauſe his Suit was denied him, he cauſed to be murdered in his Bed by a Band of Villains devoted to his Violences; then made Levies of Men, fortified Caſtles, invited his neighbouring Princes to enter into a League with him againſt his Father-in-law, and promiſed to the King of *England*, that how ſoon the Truce ſhould expire, he would join him at *Jerſey* with all the Power he ſhould be able to raiſe. He was not able to make his Word good, for King *John* found means to arreſt his Perſon. But his Brother *Philip* was as ill a Man as himſelf; he and *Geoffrey* d' *Harcourt* did all the Miſchief the King of *Navarre* himſelf could have done, if he had been at Liberty. While *France* was thus miſerably divided by ſeditious Practiſes within it ſelf, the Truce expired on the 24th of *June* 1355; upon which the heroick Prince of *Wales* (vulgarly called the *Black Prince*,) landed in *Gaſcoign* at the Head of a gallant Army, and not long after King *Edward* himſelf with another went over to *Calais*; but ſudden News from *Scotland* recalled him to the Defence of his own Territories.

The War breaks out anew.

King of *France* ſends Succours to *Scotland*.

The King of *France* having ſometime before this foreſeen, that, as Matters ſtood, a Rupture between him and the King of *England* was unavoidable, and, deſirous to hinder the *Scots* from concluding a ſeparate Treaty then on Foot with the common Enemy, ſent Ambaſſadors (*a*) to theſe laſt; and, what was yet more perſwaſive than his Ambaſſadors, Men and Money to encourage them in the Proſecution of the War. Sir *Eugene de Garantiere* commanded the *French* Auxiliaries in chief, who, tho their Numbers were not great, yet are highly commended for their Valour and good Conduct. The Money they brought along with them amounted to 40000 Crowns of the *Sun*, (a round Sum in thoſe Days) deſtined by the King of *France*, for levying and entertaining a competent Number of regular Troops: But the Guardian and Nobles about him thought fit to divide it among themſelves, and to wage War, after their own Faſhion, by brisk Onſets and ſudden Excurſions. With this View the Earl of *March* and the Lord *William Douglas* marched with the *French* above-mentioned and a good Body of their own Men, to the Borders; but halted at *Nisbet*-Moor, while *William Ramſay* of *Dalhouſie*, an excellent Officer, with ſome light Horſe under his Command, invaded *England*, burnt the Village of *Norham*, and plundered the neighbouring Country. He was returning homewards with a great Booty of Cattle, when the *Engliſh*, having drawn together all the Forces they had in thoſe Parts, purſued him, as he deſired, with great Eagerneſs. He reſiſted juſt as much as was neceſſary to raiſe their Cou-

Sir *Eugene* de *Garantiere* Commander of the *French* Auxiliaries in *Scotland*.

The Earl of *March* and the Lord *William Douglas* gain a Victory over the *Engliſh*.

(*a*) Buchan, p. 303. Holinſh. p. 352, 353. Boet. &c.

Courage, then fled to the Covert where the *Scots* Army lay in Ambuſh. The *Engliſh* followed, till all on a ſudden they found themſelves attacked by a Power equal or ſuperior to their own. Both Sides fought bravely, and the Slaughter was conſiderable: The *Scots* loſt two gallant Gentlemen in the Action, Sir *John Haliburton* and Sir *James Turnbull*; but they gained an entire Victory over the *Engliſh*, and made many Priſoners; among the reſt, Sir *Thomas Gray*, his Son, Sir *John Dacres*, &c. Being encouraged with this Succeſs, and the Arrival of more Forces under the Conduct of *Thomas Stewart* Earl of *Angus*, they reſolved to make an Attempt upon *Berwick*, and thought to have ſurprized the Garriſon in the Night, but were not altogether ſo lucky as they hoped to have been. 'Tis probable indeed that they ſet their Ladders to the Walls of the Town unſeen, but certain that they did not win the Place without great Oppoſition, for no leſs than ſix Gentlemen of Note loſt their Lives in the Attack, namely Sir *Thomas Vaux*, Sir *Andrew Scot* of *Balwirie*, Sir *John Gordon*, Sir *William Sinclair*, Sir *Thomas Preſton*, and Sir *Alexander Moubray*. By the Martial Law they had Right (and 'tis a Wonder the Slaughter of theſe Gentlemen did not provoke them to uſe it) to have put not only the Garriſon, but all the Inhabitants of the Town to the Sword; yet 'tis owned (*a*) that they killed none, but thoſe that reſiſted, and Hiſtory makes mention but of three, *viz.* Sir *Alexander Ogle* Captain of the Town, Sir *Everard Gray* and Sir *Thomas Percy*. This laſt is by *Scots* Authors ſaid to have been Brother to the Earl of *Northumberland*, which I own is a Miſtake, ſince, as I have elſewhere ſhewed, the *Percies* were not as yet advanced to that Dignity, but they were long before *Boethius* wrote his Hiſtory, and not only ſuch *Scots* Authors as have copied after him, but even *Holinſhed* (*b*) and others of the *Engliſh* have fallen into the ſame Error; and a very immaterial one it is in my Opinion, yet Mr. *Barnes* is pleaſed to make this Obſervation upon it; *'Tis uſual*, ſays he, *with the* Scots *Hiſtorians to create Men and Titles, and then to ſlay them, to advance, as they imagine, the Honour of their Nation.* I dare ſay that honeſt *Boethius* had no ſuch Deſign, much leſs the others that have been miſled by him: But, to ſay the Truth, *'tis uſual both with the* Engliſh *and* Scots *Hiſtorians to take upon Truſt and tranſcribe the groſſeſt Blunders former Writers of their reſpective Countries have through Ignorance or Malice committed*; a Fault I have by all means endeavoured to avoid, and ſhall continue to do ſo when directed by better evidences, whether domeſtick or foreign.

Will. Ramſay of Dalhouſie draws the *Engliſh* into an Ambuſh.

The *Scots* take the Town of *Berwick* by Storm.

After the *Scots* Army had made themſelves Maſters of the Town, they commenced the Siege of the Caſtle of *Berwick*, which alſo had fallen into their Hands, but for the great haſte King *Edward* made to effect its Relief. Upon the firſt News of the *Scottiſh* Succeſſes he left *France*, repaſſed the Seas, and poſted to

Edward III. his ninth Expedition into *Scotland*

(*a*) Barnes, p. 486. (*b*) P. 352.

London (*a*), where, notwithſtanding the Parliament was then ſitting, he tarried but three Days before he began to march for *Scotland*. He arrived at *Durham* on the 23d of *December*, and (*b*) preſently iſſued out his Orders, commanding all his Subjects between the Age of ſixteen and threeſcore Years to attend him at *Newcaſtle* by the firſt of *January* 1356; and the Reaſon he gave them was, becauſe he was already ſo far on his Journey, in order to depreſs the Malice of the *Scots*, who, ſaid he, had a Great Army upon the Borders ready to invade *England*. This makes me incline to believe that the *Scots* Authors are in the right, when they tell us, that upon King *Edward*'s Approach, their Army being unable to engage with his ſuperior Power, raiſed the Siege of the Caſtle of *Berwick*, and left the Town, which they could no longer keep, after having plundered it and levelled its Walls with the Ground. But the *Engliſh* tell the Story otherwiſe, and I ſhall not controvert the Matter with them
A.D. 1356. (*c*). They ſay that the *Scots* did not abandon the Town till King *Edward* came before it with all his Power on the 14th of *January*, that he had alſo a Navy in the Haven ready to aſſail the *Scots* from the Sea, and that he entred the Caſtle in Perſon, with a Deſign to let down the Draw-bridge and aſſault the Town that way, while his Army from without ſhould attempt the Walls. They add, that
Regains the Town and relieves the Caſtle of *Berwick*. Sir *Walter Manny*, a very famous Captain, was at the ſame Time employed in ſpringing a Mine by certain Miners he had brought out of the Forreſt of *Dene*. Upon all which, the Garriſon terrified with theſe formidable Preparations, and finding it impoſſible to hold out againſt ſuch powerful Forces, and ſo many different Attacks, offered to capitulate, and were allowed to march out accordingly. This may be true, as I have ſaid, tho the *Scots* differ in the Accounts they give of it; and to me it does not ſeem probable that they would ſuffer themſelves to be pent up in a Town ſo lately conquered, when the Caſtle belonging to it was ſtill in the Hands of the Enemy: But, be it as it will, King *Edward* now repoſſeſſed of the Place, cauſed his whole Army to march in three great Bodies further into *Scotland*, with a Reſolution, ſay *Engliſh* Authors, *to force that Nation to Terms of Agreement, or to reduce them ſo low that he ſhould never after ſtand in Doubt of their Rebellion*. This is a ſtrange way both of ſpeaking and thinking, eſpecially in Modern Authors, who, being diſingaged from the Paſſions that poſſeſſed and blinded contemporary Writers, ought to know that a free and independent People could not be guilty of Rebellion when they fought in Oppoſition to a foreign incroaching Power that ſought to enſlave them: Nor is it leſs ridiculous to think that King *Edward* in that Seaſon of the Year, (for it was in *January*) propoſed to himſelf to reduce them ſo low as is aſſerted: He knew better Things, or muſt have forgot

(*a*) Barnes. p. 487. (*b*) Fœd. Angl. Tom. 5. p. 828, 829. (*c*) Tyrrel, Vol. 3. p. 591, 592. Barnes, p. 489, 490, &c.

got how often, and how much in vain he had made the like Attempts with Armies no leſs formidable, and in Seaſons much more proper. But 'tis obſervable, that as often as *Engliſh* Monarchs have invaded *Scotland*, it was below them, (if *Engliſh* Hiſtorians were to be believed) to think of any thing leſs than of ſubduing the whole Kingdom. But *Engliſh* Records differ from their Hiſtorians: Peruſe them and you ſhall find that they run in another Stile, and that when the Kings of *England* were preparing to attack *Scotland*, they gave generally out, *That it was neceſſary to repell the rebellious* Scots, or to *depreſs their Malice*, or to *ſecure* England *from their Incurſions*; ſo indeed do they often expreſs themſelves, but not a Word is to be found of entire Conqueſt, Subjection, or the like, ſo far as I know. Experience had taught them that the Task was not eaſy, and they thought not fit to uſe thoſe lofty Expreſſions, which, they feared, the Event might render as inſignificant as odious: Yet, tho they could not hope that their every Expedition would be crowned with Conqueſt and the Subjection of their reſolute Enemies, they nevertheleſs had ever the ambitious Project in their View, and purſued it by all means poſſible. Of this King *Edward* gave a flagrant but ſucceſsleſs Teſtimony on the preſent Occaſion. While he lay at *Roxburgh*, he prevailed with, or forced the Lord *Edward Baliol* to make over to him and his Heirs Kings of *England* (*a*) the Kingdom of *Scotland* and the *Iſles* thereto belonging, together with all manner of Royalties, Prerogatives, Dignities, *&c.* And to make this Grant the more ſolemn and authentick, he had the *Baliol*'s Crown of Gold ſurrendred to him and Livery of Poſſeſſion by ſome of the Soil of the Kingdom. Nay, he likewiſe exacted, or got at the ſame time a Grant of all the paternal Inheritances that Prince had enjoyed or could (*b*) pretend to in *Scotland*, *Galloway* and *England*. In conſideration of all which, King *Edward* obliged himſelf to pay all the Arrears due to him upon any Account whatever (*c*); as alſo, to ſettle an yearly Penſion of 2000 lib. *Sterline* upon him during his Life. A great Sum indeed, and no doubt of more real Value to the Lord *Baliol*, as he was ſtated, than the Exchange he gave for it. When I ſay ſo, I abſtract from the Infamy and Diſgrace, and Iniquity of the Surrender he made; for, after all, I can by no means blame the Son and Heir of a Sovereign, ſuch as the Lord *Baliol* may be thought to have been, not illegal, to purſue all honourable Methods tending to replace him upon the Throne of his Father; and had he, in order to regain what he thought his own, begged Aſſiſtance from any or all the Potentates in the World, and at the Head of Auxiliaries, whatever they were, *Engliſh*, *French* or *Saracens*, if none elſe could have been had, entred *Scotland* with Fire and Sword, 'twas no more than

Lord *Baliol* makes over his Claim to the Crown of *Scotland* to King *Edward* III. of *England*.

(*a*) Buchan. p. 304. Boet. fol. 326. Fœd. Angl. Tom. V. p. 834, 835. (*b*) Fœd. Angl. ib. p. 833. (*c*) Ibid. p. 837, 838.

the *Scots* had Reaſon to expect: But, that to obtain Aſſiſtance from any foreign Power, he ſhould have not only diſmembred the Dominions he pretended to, but alſo conſented to do Homage, as he did, for the whole, was ſcandalouſly mean, and to unking himſelf, had he been, what he was not, really and legally a King. Yet what he now did was ſtill worſe; for, ſo far as in him lay, he not only unkinged himſelf and his Heirs in the moſt ſolemn manner imaginable, but alſo unnationed a Kingdom, and with one Stroak of his Pen, demoliſhed the Work of 1600 Years. 'Tis true, his Father had done the like before, but his Father was a Captive and in Chains at the time, and the inglorious Example could never be conſidered as a Precedent proper for Imitation. He was ſo ſenſible of this, that I have reaſon to believe, he was, as his Father, compelled to do it: For I find, that long before this Time he was very much diſguſted with the Meaſures of the *Engliſh* Court, that he even dared to enter (*a*) his Proteſtations againſt them, when he thought they tended to his Detriment; that for the moſt part he reſided in *Galloway*, tho with no competent Forces to beget Reſpect, or Means to ſupport his pretended Dignity of a King, and that nevertheleſs he would not venture to come from thence, nor ſo much as go over the Borders (*b*) without a Safe-conduct ſecuring his Perſon and Retinue from being moleſted upon any Account, particularly for his having been, no doubt, againſt King *Edward*'s Will, in *Scotland*. But at length he muſt comply, and ſince he had given himſelf a Maſter, and thereby loſt all other Means of Support, what elſe could he do? But let us hear the Reaſons he himſelf gave, or rather thoſe King *Edward* gave out in his Name and under his Hand and Seal for the Reſignation he made. "He conſidered, (ſaid he) (*c*) the imminent Dangers "both of Souls and Bodies, the Depredations made in Towns and "Countries, the Ruine of Churches, Monaſteries, *&c.* occaſioned "by the obſtinate Rebellion of the *Scots*, who by the Inſtigation "of Hell, had ſo often and ſo notoriouſly revolted againſt the "Kings of *England* their Superior Lords: As alſo, that the Nobles "and People of *Scotland*, even thoſe who being neareſt in Blood "to himſelf, might have ſucceeded him in the Throne, inſtead "of aſſiſting him, as they were in Duty obliged, had on the contrary made Leagues and Aſſociations againſt him, attacked his "Perſon, and endeavoured his Ruine, notwithſtanding he had "ſtudied nothing ſo much as Peace and Quiet, which he had never been able to bring about; nor could he now hope, by reaſon of his old Age and weak Body, to compaſs thoſe Ends; and "feared, that after his Death new Contentions might ariſe about "the Succeſſion, the rather becauſe it was well known, that the "*Bruces* had no Right to it at all. He added, That his Couſin and "ſuperior Lord *Edward*, King of *England*, was, by his victorious

"Power

(*a*) Fœd. Angl. Tom. V. p. 700, and elſewhere. (*b*) Ibid. p. 700, 733, 759, 788. (*c*) Ibid. p. 834, 835.

" Power of all Men living the fitteſt to ſubdue the Rebels, and " by his Clemency moſt willing to protect the Good; that after " the Death of his Father of glorious Memory, *John Baliol*, ſome- " time King of *Scotland*, his ſaid Couſin had been graciouſly plea- " ſed to accept of his Homage for that Kingdom, when he might " have ſeized it into his own Hands, and that ever ſince he had " loaded him with innumerable good Offices. And that in fine, " an Union of the two Kingdoms would enable them to withſtand " all the Power of their Enemies domeſtick and foreign; and there- " fore he diſponed that of *Scotland* in the Terms I have above re- " lated. This Grant is dated at *Roxburgh* the 30th of *January*, and there's an Exemplification of it dated at *Bamburgh* Caſtle the 20th of *February* following; and henceforth I find that the Lord *Edward Baliol*, in ſtead of being ſtiled *Edward* by the Grace of God King, took no other Title upon him, but that of *Edward Baliol* ſometime King of *Scotland*, or of *Edward Baliol*, Son to *John Baliol* ſometime King of *Scotland*: Only once I find that he was again ſtiled King, for what Reaſon I know not, but it was on the 27th of *May* 1363 (*a*), when the King of *England* having made himſelf Maſter of the Lordſhip of *Ponthieu* in *France*, obtained a Gran from him of the Caſtle and Town of *Helicourt*, which lay in that Lordſhip, and which till then had probably been detained from him upon the Account of the Claim he laid to, and the War he waged with *Scotland*. The onerous Cauſe of this Grant is, becauſe of the vaſt Charges the King of *England* had been at in protecting him againſt his moſt powerful Enemies: A dear bought Protecti- on, by Reaſon of which his Life was but one continued Series of Troubles, his Death unpitied, and his legal Heirs ſtript of all his Familie's Inheritances in *France*, *Scotland* and *England*. This laſt Record ſhews, beſides what I have taken Notice of, the Miſtake of ſome *Scots* Authors, who ſay, that the Lord *Baliol* was dead before the Redemption of King *David*, *Anno* 1357; whereas 'tis evident that he lived till the Year above mentioned 1363, when (as *Knighton* tells us) he died at *Doncaſter* in *Yorkſhire*. And thus, I humbly conceive, I have given a more full and ſatisfactory Account of the Life and Death of that truly martial, yet inglorious Prince, than is any where elſe to be found.

Death of the Lord *Baliol*.

What it was that moved King *Edward* to cauſe him to reſign the Crown and whole Kingdom of *Scotland* in the Manner I have related, ſeems to me very uncertain. Had the Lord *Baliol* been a lawful King, as he was not, to be ſure the *Scots*, even in that Caſe, would never have conſidered this Reſignation as valid, much leſs could King *Edward* hope to be admitted in the Right of one, who in their Opinion, had himſelf no Right at all. All that can be ſaid upon the Matter is, I humbly conceive, that the Grant he had ob- tained, gave him at leaſt a handle to proſecute the War in his own

(*a*) Fœd. Angl. Tom. 6. p. 415.

Name; and if by a Treaty of Peace he muſt needs acquieſce in the Title of King *David*, it was more honourable to do it, after that of the Lord *Baliol* was by himſelf laid aſide, than to let the World know that he had abandoned his Intereſt while yet entire. Nevertheleſs he made a great Buſtle, as if he had now an undoubted Right to the Kingdom of *Scotland*, but was ſo far from being crowned King at *Scoon*, as one *Engliſh* Author (*a*) is ſo fooliſh to aſſert, contrary to all Evidences and Hiſtories whatever, that he did not ſo much as uſe the Title; and to *Scoon* 'tis certain that he neither did nor could go at this Time, as will appear by the Sequel of the Story. All he did in Purſuance of his pretended Right, was to publiſh it to the World with this Promiſe (*b*), that he would not alter, nor incroach upon the Laws of the Land. But this had no Impreſſion upon the Minds of the *Scots*: They would hearken to no Propoſals, but ſuch as tended to the Redemption of their lawful Sovereign King *David*; and King *Edward*, having a great Army about him, would not agree with them, till he was firſt revenged for the haſty Call they had occaſioned him to get from *France*, and the Damages they had done to his Subjects upon the Borders. With this View he left *Roxburgh* (*c*) and advanced with his Army as far as *Haddington*, ravaging and deſtroying the Country on each Side as he paſt; but to no Purpoſe: For as the *Scots* had before hand removed out of the Way all Sorts of Proviſion, in ſo much that for 15 Days together the *Engliſh* could get no drink but freſh Water, ſo the former were ever ready on the Flank and Rear of the Enemy, to cut off whoever went forth from the main Hoſt to forrage. Nevertheleſs King *Edward* ſtill hoped to make good his Winter Quarters in thoſe Parts, when he received the unwelcome News that his Fleet, commanded by the Lord *Robert Morley*, was by an irreſiſtible Storm entirely diſperſed, that moſt of the Men and all the Proviſions deſtined for the Subſiſtance of his Land Army were caſt away, and that hardly three Ships could come into one Haven together. He then found that he muſt needs return with the Diſpleaſure of having ſquandered away a great deal of Treaſure, and in that rough Seaſon loſt a great many Men to no Purpoſe; which ſo incenſed him, that (if we may believe *Scots* Authors,) he fell to ravaging again; and which was worſe, burnt all the open Towns within *Lothian*, particularly *Edinburgh* and *Haddington*, both which Places he reduced to Aſhes; neither did he ſpare the Churches or Monaſteries, but (ſays a *Scots* Author) (*d*) acted as if he had been in open War with God and his Saints. But they were too ſtrong for him in the Opinion of the People, who aſcribed the Loſs of his Fleet, and the other Diſaſters that attended his land Army to the Indignation of offended Heaven. This the *Engliſh* Writers will by no means allow to be true; but they own

Edward III. ravages the South of *Scotland*.

Loſes his Fleet.

(*a*) Vid. Barnes, p. 490. (*b*) Fœd. Angl. Tom. 5. p. 846. (*c*) Barnes, p. 490, 491. Tyrrel, Vol. 3. p. 592. Buchan. p. 304. Boet. fol. 326. (*d*) Boet. Ibid.

own that their King before he retired, left ſuch Marks of his Anger behind him, that becauſe it was ſo plentifully ſcattered through Towns and Villages about the Feaſt of the *Purification* of our *Lady*, that holy Day was ever after called the *burnt Candlemaſs*.

After this cruel, and even to himſelf calamitous Expedition, King *Edward* found himſelf for want of Proviſions, and becauſe the *Scots* were now come to the Fields in great Numbers, obliged to retire, it ſeems, with ſome Precipitation; for I find him at *Bamburgh* Caſtle in *England* on the 20th of *February* (*a*); and ſince he left not *Roxburgh* till after the 30th of *January*, 'tis evident that he ſtaid not full twenty Days within, what was at that Time, the *Scottiſh* Pale: So falſe it is that he went to *Scoon*, and was crowned King. Nay, he took not ſo much as one ſingle Fortreſs, and in his Retreat was followed, if not purſued by three *Scots* Chiftains, *John* eldeſt Son and Heir to the Guardian, *William Douglas* and *Roger Kilpatrick*. The firſt regained *Annandale*, the ſecond *Galloway*, the third *Nithſdale*: And this was probably the Work of the enſuing Spring or Summer. Nor do I henceforth read of any more open Hoſtilities committed by either Nation within the Iſland while King *David* lived, tho King *Edward* was ſo far from being as yet reconciled with him or his Subjects, that he made it his Buſineſs to debauch the latter from their Alledgiance; nay, he actually prevailed with *John* of the *Iſles* (a great Man who affected Independency, and was ever at variance with, if not an open Enemy to the *Brucian* Intereſt) ſo far as to enter into a poſitive League with him offenſive and defenſive againſt all Nations whatever (*b*). This Treaty was ſet on foot after King *Edward*'s Return to *Weſtminſter* on the 31ſt of *March*; and I ſhall afterwards have Occaſion to take Notice of the Conſequences that followed upon it. In the mean time it is neceſſary to take a View of what was doing beyond Seas, where a ſtrange and unexpected Event raiſed the *Engliſh* Glories to the higheſt Skies.

John of the *Iſles* enters into a League with the King of *England*.

As before, ſo this Summer, the brave Prince of *Wales* (*c*) left *Bourdeaux* the Capital of *Gaſcoign*, at the Head of an Army of but 8 or 10000 Men, partly *Engliſh*, partly *Gaſcoigns*, but all brave and experienced Soldiers, with whom he couragiouſly advanced through *Perigort* and *Limouſin* into the very Heart of *Berry*. King *John* having Advice of this, marched with great haſte towards *Chartres* and *Blois*, with a Deſign to intercept his Retreat. After he had paſt the *Loire*, he muſtered his Army, and found it ſo great, that he dreaded nothing more than that the Prince ſhould find means to make his Eſcape. He had at leaſt 60000 effective Men, and among the reſt a choiſe Band (*d*) of *Scots* Soldiers. *Holinſhed*, and after him ſome others, ſay, that they amounted to no leſs than 3000; but this cannot be true; for I find, that by

(*a*) Tyrrel, Vol. 3. p. 591. (*b*) Fœd. Angl. Tom. 5. p. 849. (*c*) Echard p. 368, 369. Orleans Liv. V. p. 56, 57, &c. Barnes p. 500, 501, 502, &c. (*d*) Boet. fol. 326. Holinſh. p. 353.

Agreement (*a*) only 500 *Scots* Horſe, or Men at Arms, and as many Archers were obliged to ſerve in the *French* Wars: Nor could *Scotland* (ſtated as I have ſhewed,) then ſpare a greater Number: Nor could it be thought, that *France* ſtood in need of them; a third Part of her own Forces was more than ſufficient, not only to have withſtood, but to have conquered all the Enemies that durſt oppoſe or attack her. But the Juſtice of God (who puniſhes the Sins of Men and Nations, after what Manner and when he pleaſes) had not ſufficiently ſcourged her into a Senſe of her Tranſgreſſions, and Providence was haſtning her further Humiliation. Indeed the over-ruling Hand of God was never more conſpicuous than at this Time: The *Black Prince*, as brave as he was, dreaded the approaching Storm, and ſought to avoid it by a ſeaſonable Retreat; and being, againſt his Will, overtaken at *Poictiers*, offered to reſtore all the Places he had lately taken, and not to carry Arms againſt *France* for 7 Years to come, provided he was permitted to retire. But King *John*, being hurried on with Impatience to be undone, would accept of no other Conditions, but that the Prince ſhould deliver him four Hoſtages, and, as vanquiſhed, ſurrender himſelf and the ſmall Army he commanded to his Diſcretion. Which Propoſal, being by the youthful Heroe rejected with Scorn, in ſtead of blocking up and ſtarving him (as he might eaſily have done) within his impregnable Trenches, he preſently ordered them to be aſſaulted; and as the *Engliſh* and *Gaſcoigns* ſtood their Ground with the ordinary Reſolution of Men not only experienced and brave, but deſperate; ſo the *French*, on their ſide, fought with the ſame Preſumption, Diſorder and Tumult, that had been fatal to them ſome Years before at *Creſſy*, in ſo much, that this ſecond Battle was an exact Copy of the firſt. They were intirely routed, and, beſides their Slain, amounting to about 6000, left 15000 Priſoners in the Hands of the Enemy, and among the reſt King *John* himſelf, whoſe Valour, tho much admired, and generouſly extolled by the Victors, could make no Amends for the Failures of his Conduct. He was taken by a Subject of his own, one *Denis* de *Morbeque*, who, for Slaughter committed, had been baniſhed from *France*. The King's youngeſt Son, Prince *Philip*, had the ſame Fate, together with an incredible Number of the *French* Nobility. As for the few *Scots* that were there, they ſtood to it to the laſt, and were for the moſt part ſlain (*b*), together with their Officers Sir *Andrew Stewart*, Sir *Robert Gordon*, Sir *Andrew Halyburton*, and Sir *Andrew Vaux*. The Earl of *Douglas* being wounded with an Arrow in the Groin, and fearing to fall into the Hands of the *Engliſh*, retired in time from the Field of Battle: But the Lord *Archbald Douglas* was made a Priſoner, and had paid dear for his Ranſom, (the *Scots* knew ſo much by their late Experience) had not Sir *William Ram-*

ſay

Battle of *Poictiers* gained by the *Black Prince*.

John King of *France* made a Priſoner of War.

Scotſmen killed & made Priſoners at *Poictiers*, who they were.

(*a*) Traitez d'entre, &c. p. 247. (*b*) Favin's Theatre of Honour, l. 5. c. 3. p. 80.

ſay of *Colluthie*, who was taken with him, treated him as his domeſtick Servant and an inconſiderable Fellow; for he cauſed him pull off his Boots, and perform ſuch mean and ſervile Offices, as, being incompatible with his Quality, purchaſed his Freedom at an eaſy Rate.

By this famous Victory the never to be enough commended Prince of *Wales* gained a double Conqueſt; one by his Sword in the Field, and another yet more glorious, by his unparallelled Courteſies to the vanquiſhed Monarch. For the very Night after the Battle having ordered a Supper for him, he treated him royally in his own Tent; and, what is yet more obliging, with all the Reſpect and Submiſſion the greateſt Proſperity could have exacted: For he waited in Perſon at the King's Table, ſtood by his Elbow, and when deſired to ſit down, modeſtly replied, *That he was not worthy to ſit down with ſo great a Monarch.* Nay, he did all in his Power to ſolace his Mind, and raiſe his Spirits by the moſt civil and engaging Expreſſions imaginable; and that theſe were not affected but ſincere and cordial, his After-behaviour ſufficiently evidenced: For both he and his Royal Captive paſt the enſuing Winter together at *Bourdeaux*, during which he betrayed no manner of Pride or Arrogancy, but rather redoubled his Civilities and Complaiſance. This extraordinary Conduct in a conquering young Prince about 25 Years of Age, ſpread Wonder and Admiration through the Univerſe; and Pope *Innocent*, who then ſat in the Pontifical Chair, in the Letters he directed to him upon this Occaſion, could not forbear commending his Moderation, while at the ſame time he put him in mind, that the ſame God who diſpoſes of Victory, and gives Succeſſes and Triumphs to whom he pleaſes, yet deteſts the Slaughter of his People, and the raging Paſſions of Rulers that give Occaſion to it: For thoſe therefore he exhorted the Prince to give Thanks, and for theſe to beg Pardon; requiring and beſeeching him *by the Bowels of the Mercies of God*, that in Gratitude for the ſignal Favours ſo lately received, he would accommodate his Soul, prepare his Heart, and diſpoſe his Mind to Peace and Concord. To be ſhort, his Holineſs was ſo earneſt upon the Matter, that at length he prevailed beyond Expectation: For, by the Mediation of his Legates, a two Years Truce was agreed to at *Bourdeaux* on the 18th (*a*), or, (as it is dated in Mr. *Rymer*'s Collections (*b*),) on the 23d of *March* 1357. The *Scots*, as was uſual in thoſe Days, were expreſly comprehended in this Treaty, which to every Body ſeemed the more ſurpriſing; becauſe, had the *Engliſh* followed their Blow and proſecuted the War with Vigour, it is probable, that their victorious Arms, united with thoſe of *Philip* de *Navarre* and *Geoffrey* d' *Harcourt*, might have reduced *Charles* Duke of *Normandy* King *John*'s eldeſt Son, now become Regent of *France*, to any Terms whatſoever; nay, who knows

A D 1357. a Truce agreed to.

(*a*) Traitez d'entre, &c. p. 245. (*b*) Fœd. Angl. Tom. VI. p. 3, 4, &c.

but the whole Kingdom might have been rent from the Houſe of *Valois* for ever? But, as I have elſewhere obſerved, the King of *Navarre* had a nearer, and, by conſequence, a better Title to it than the King of *England*, and it was not likely, that the former would either give up or divide his Birthright in favour of the latter. The *Engliſh* Council thought it more adviſable to keep faſt what they had in their Hands, I mean their Royal Priſoner and the other *French* Lords in Cuſtody with him, than to aim at Uncertainties. They very well knew what a prodigious Gain would accrue to themſelves, from the Ranſom of a King and ſuch a Number of Princes and Grandees of *France*, and wanted but to have them tranſported to *England*, where only they could be ſecure. But this was not eaſy while the War laſted; 'twas poſſible that they could be reſcued in their Paſſage by Sea, the rather becauſe the Fidelity of the *Gaſcoigns* was not to be depended upon, and it was not an eaſy Task to fit out a Fleet from *England* alone, capable both to tranſport ſuch Numbers, and to defeat all Attempts that could poſſibly be made upon it. Therefore the Truce was concluded as I have ſaid, and in *April* following the Prince of *Wales* ſet ſail and arrived at *Plymouth*, from whence by eaſy Journies he came to *London*, which was now again raviſhed with the Sight of a captivated Monarch. The King of *France* entred the City, as the King of *Scotland* had done about Ten Years before, mounted on a ſtately white Courſer, the Prince of *Wales* riding by his Side on a little black Nag, as one induſtriouſly avoiding all Suſpicions of a Triumph. They were received with all the Pomp and Magnificence that mighty *Metropolis* was able to diſplay. After the Cavalcade was over, which held from Three or the Clock in the Morning till high Noon, the Prince arriving at *Weſtminſter*, ſolemnly preſented to the King his Father, then ſitting in great Majeſty on his Royal Throne, the Perſon of King *John* his Priſoner: But *Engliſh* Authors ſay, that unable to retain the ſevere Grandeur of a Conqueror, he roſe haſtily at the Approach of the Royal Captive, and met and careſſed him with as much Honour and Reſpect, as if he was only come to give him the Favour of a Viſit. And now, I have ſaid as much of the *French* Affairs as ſuffices to ſhew their Connection with thoſe of *Scotland*; we ſhall leave King *John* in the *Savoy* at *London*, where, tho detained ſecurely, yet he was for ſome Time very honourably entertained, and proſecute the Threed of the Story, which leads me naturally to give an Account of the Redemption of King *David*; a material Part of the *Scots* Hiſtory never yet fully or fairly delivered by any Author. To effect this, I muſt go a great Way back.

John King of *France* brought over a Priſoner to *London*.

As the Gallantry and Reſolution expreſſed by the *Scots* in Defence of their Country, after their Overthrow at *Durham*, were admirable; ſo their Loyalty to their captivated Sovereign, and their unanimous Zeal for his Delivery, can never be ſufficiently com-

commended. They no ſooner got Time to breathe, but the Three Eſtates (notwithſtanding the heavy Preſſures under which they lay) agreed both to ſupply his Wants, and by all Means poſſible to effect his Relief. I ſay that they ſupplied his Wants, that is, that they ſent Money from *Scotland* towards his Entertainment: For I find, that in *May* 1347, about four Months after he was committed to the Tower of *London*, *William* de *Toures* and three others, all *Scotſmen* (*a*), were, by King *Edward*, allowed to go to *Scotland*, in order to bring from thence what was ſufficient to bear the Charges of *David Bruce* and the reſt of the *Scots* Priſoners. Till then indeed Money was advanced to him out of the Exchequer of *England*; but after this, I ſee no Proof of King *Edward*'s further Liberality or Diſcretion in that reſpect; whereas on the contrary, the Allowance granted by him from time to time to the Lord *Baliol*, is every where to be met with upon Record: A Sign, that had any been given to King *David*, we ſhould alſo have ſeen Orders, Receipts and Diſcharges relative to it. But of this by the by. Not long after, I mean in *September* the ſame Year 1347, juſt twelve Months after King *David* was made a Priſoner, a Treaty was ſet on foot in order to his Relief, and the *Scots* Commiſſioners were (*b*) Sir *William Livingſton*, Brother *Walter Blantyre*, (probably one of the Knights Hoſpitallers,) and *Walter Clark*. Treaties for the ſame Purpoſe were renewed every Year, but without Succeſs till *September* 1351. And I ſhall once for all ſet down the Names of thoſe worthy Perſons that were chiefly employed in theſe Negotiations, ſo honourable to themſelves, their Country and Poſterity. In 1348 (*c*) *William* Biſhop of St. *Andrews*, *Thomas* Biſhop of *Caithneſs*, *John* Biſhop of *Murray*, *Adam* Biſhop of *Brechin*, *Patrick Dunbar* Earl of *March*, Brother *Alexander Seton* Knight, Maſter of the Hoſpital of St. *John* of *Jeruſalem*, Sir *Robert Erskine* Lord of *Erskine*, Sir *Andrew Douglas*, *William Meldrum* Lord of *Bachynnanebe*, and *John Wygmer* a Burger of *Edinburgh*, were the Perſons; in 1349 and 1350 (*d*) the Queen her ſelf, the Biſhop of *Caithneſs*, Sir *David Erskine*, *David Lindſay* Lord of *Crawfurd*, and *William Meldrum*; in 1351 (*e*) the Biſhops of St. *Andrews*, *Brechin*, *Caithneſs* and *Dumblain*, the Earls of *March*, *Marr*, *Angus* and *Sutherland*, *William* Lord of *Douglas*, *David Lindſay*, *William Livingſton* and *Robert Erskine* Knights. Theſe laſt came at length to this Agreement with the *Engliſh* Plenipotentiaries at *Newcaſtle* (*f*) on the 4th of *September*, that King *David* ſhould be permitted to go in Perſon to *Scotland*, which was what he himſelf very much deſired, not doubting but that his Preſence would quicken the Zeal of his Subjects, and bring them to an Accommodation with King *Edward* concerning his Ranſom; but if this could not be effected, he was obliged to return by *Eaſter* next Year a Priſoner

The *Scots* Nation bear the Charges of their captivated King

Several Treaties ſet on foot towards his Redemption

The Names of thoſe employed to treat about King *David*'s Redemption.

King *David*, tho a Priſoner, comes to *Scotland*, in order to find out Means of obtaining his full freedom.

(*a*) Fœd. Angl. Tom. V. p. 562. (*b*) Ib. p. 597. (*c*) Ib. p. 618, 619, 632, 634. (*d*) Ib. p. 645, 646, 657. (*e*) Ib. p. 711. (*f*) Ib. p. 722, 723.

The Names of the Hoſtages left in *England* for King *David* when he firſt came to *Scotland*, after his Captivity.

as before, and in the mean Time to find Surety for Performance, and to leave a great many Perſons of the firſt Quality as Hoſtages for him in *England*. The moſt eminent among thoſe were (*a*) *John* Son and Heir of the Great Steward of *Scotland*, the ſame who afterwards came to be King by the Name of *Robert* III. *John Dunbar* Son and Heir of the Earl of *March*, *John* Son and Heir of the Earl of *Sutherland*, *Thomas* Nephew and Heir of the Earl of *Wigton*, *James* Son and Heir of Sir *David Lindſay*, *Hugh Roſs* Brother and Heir of the Earl of *Roſs*, *Thomas Murray* Brother and Heir of *John Murray*, &c. In Purſuance of this Agreement King *David* took Journey for his own Dominions in the Month of *October*, and while yet in *England* was met and attended by (*b*) the Biſhop of St. *Andrews*, the Earls of *March*, *Sutherland* and *Angus*, and *William* Lord of *Douglas* with a Retinue of 200 Horſe; for it ſeems that King *Edward* would permit no more to paſs the Borders. 'Tis eaſy to gueſs with what Joy, ſo loyal a People as the *Scots* then were, would receive their beloved Sovereign, who in fighting their Battles had been taken and ſo long detained a Priſoner by his and their Enemies. But their Sorrows were ſoon after renewed; for King *Edward*'s Demands were ſuch as could not be complyed with. What theſe Demands were, 'tis not eaſy to gueſs. *Scots* Authors tell us nothing of the Matter, ſave that King *David* was once permitted to come to *Scotland*, in Order to treat with his Subjects: And the *Engliſh* give us ſuch Accounts of it, as, in my Opinion, are not to be believed. According to them (*c*) King *David* returned from *Scotland* at *Eaſter* the next Year 1352; and being exchanged with his Hoſtages at *Berwick*, rendred himſelf a Priſoner as before. So far I own (*d*) that they are in the Right; but then they ſend him immediately to the Tower of *London*, and this very Year again bring him back to *Newcaſtle*, and even to *Scotland*. In both which Places they make him to act a Part highly derogatory to that Courage and Conſtancy even themſelves own him to have poſſeſſed. For, ſay they, upon his Return to *Newcaſtle*, he propoſed to the *Scots* Lords, that were appointed to wait on him there, what he had urged when in *Scotland*; which was, that they would allow him to do Homage to the King of *England*, as he had ſworn to do, and as the Kings of *Scotland* had done before him: Which being refuſed, he checked them for their Obſtinacy, and told them, that, bearing a Mind too high for the preſent Condition of their Affairs, they were unreaſonably ſtiff, and that both for his ſake and that of their bleeding Country, they ought rather to bend and ſhew a little Complyance for the preſent. Upon this the Debate grew ſo high, that the *Scots*, whoſe free Souls could not brook the Indignity propoſed to them, threatned, (as indeed they had Reaſon,) if any ſuch Overture was made, to withdraw themſelves from his Allegiance, unleſs he would wholly fall off from the Thoughts of

King *David* returns from *Scotland* to *England*.

paying

(*a*) Ib. p. 724. (*b*) Ib. p. 723. (*c*) Barnes, p. 469, 470. Tyrrel, Vol. 3. p. 578. Knighton, p. 2606. Stow p. 254. (*d*) Feed. Angl. Tom. V. p. 737.

paying Submiſſion to *England*. Wherefore King *Edward* and his Council perceiving that fair means would not do, reſolved upon Force, and the Earl of *Northampton* was forthwith ordered to invade *Scotland* with a formidable Power, and to take King *David* along with him. Accordingly that General entred the Marches, and forced the Caſtle of *Lochmaben* and other ſtrong Places to ſurrender, and in his March either eſcaped, or diſſipated ſeveral Ambuſhes laid for him by the *Scots*. At length he came to a Parley with them in order to a Treaty, and the *Scots* declared that they were willing to redeem their King, but not on ſuch Terms as would bring both him and them to a worſe Captivity, by making their Country to be held by Homage of *England*. *This Requeſt* (ſay both Mr. *Barnes* and Mr. *Tyrrel*,) *ſeeming but reaſonable*, a Truce was ſoon concluded. Yet this Requeſt (if it may be ſo called) was no other than what the *Scots* had ſtill inſiſted upon, and theſe Gentlemen forget in this Place, that, but a little before, the *Propoſals* of King *David*, or rather of King *Edward*, are by them ſaid to be *unreaſonable*, and that an Army was ſent againſt the *Scots* to reduce them to a more *reaſonable Submiſſion*, or to *more reaſonable Conditions*, which you will; for they word themſelves differently, but to the ſame Purpoſe. So that the *Scots* were unreaſonable, becauſe they would not ſubject their Country when at *Newcaſtle*, & now they become reaſonable becauſe they repeat the very ſame Thing when in *Scotland*. This is more than I can comprehend; but, if I am not very far out in my Conjectures, the whole Story is a meer Romance, and a very artleſs one too. There is not the leaſt Veſtige of the Earl of *Northampton*'s Expedition to be met with in any Record whatever: Nay, Mr. *Tyrrel* owns that only one Writer Mr. *Stow* makes mention of it, from *what Author he knows not*: Beſides, 'tis evident from Mr. *Rymer's* Collections (*a*), that in *September* 1351, the Truce then in Being was prolonged till *September* 1352, conſequently if the Earl of *Northampton* did invade *Scotland* at this Time, he violated the Truce. But what renders the Fable yet more obvious, is, that King *David* (one of the beſt and wiſeſt of Princes) is ſuppoſed to be brought in Perſon to attack his own Subjects, at that Time the moſt dutiful and Loyal perhaps in the World. Nor is it credible that he had ſworn to do Homage, or acknowledged that his Predeceſſors had done it before him, I mean for the Crown of *Scotland*, which I have evinced to have ever been imperial and independent. I rather believe that he would have reacted the noble part of that *Roman*, who being ſent from *Carthage* the Rival of *Rome*, to bring about a Peace upon diſhonourable Terms, ſuch as thoſe now ſaid to have been propoſed to the *Scots*, laid hold on the Opportunity to encourage the Senate and People in their vigorous Proſecution of the War, and ſo returned to be offered up a willing Sacrifice for the Honour and Intereſt of his Country. That King *David* behaved no leſs

(*a*) Tom. 5. p. 725.

heroically we may eaſily conjecture from the unwearied and chargeable Adherence of his Subjects to him : And if it be true, that at *Newcaſtle* or elſewhere he did propoſe ſuch mean Conditions to them as are related, we muſt ſuppoſe that he did it but in Shew, and to convince King *Edward* and the whole World, that the *Scots* Nation had not ſuffered ſo much, and fought ſo long, and periſhed in ſuch Numbers to no Purpoſe. If this was really meant, (and who can doubt but it was?) the Contrivance took ; for henceforth 'tis not alledged by any Author of Credit that ever the *Engliſh* Kings were ſo idle as to inſiſt upon their pretended Superiority over a Nation ſo invincibly obſtinate in the Defence of their Liberties and Rights ; and King *Edward* found, that, ſince neither his victorious Arms could conquer, nor, what was yet more powerful, their own Affection and Loyalty to their captivated King mollify the Hearts of the *Scots* into Subjection, he muſt go another way to work, and endeavour at leaſt to enrich himſelf by the unreaſonable Ranſoms he exacted from the *Scots* Priſoners, and by this means to humble and impoveriſh thoſe he could not enſlave. With this View he ordered King *David* to be carried back from the Borders of *Scotland* to the Tower of *London*, into which that Prince re-entred (*a*) the ſecond Time on the 6th of *December* 1352. In *July* the next Year 1353, the Treaty was again renewed (*b*), and 'tis certain that King *David* was again conducted from *London* to *Newcaſtle*, where the Queen his Wife (*c*) and thoſe other Commiſſioners I have named above, waited upon him (*d*), and, it ſeems, agreed to ſuch Preliminaries as were afterwards drawn out into Form, and were very near taking Effect : For in *July* the enſuing Year (*e*) 1354, there was another Congreſs held at *Newcaſtle*, and the Commiſſioners for *Scotland* were (*f*) the Biſhops of St. *Andrews* and *Brechin*, the Earl of *March*, the Abbot of *Dumfermling*, the Arch-deacon of *Lothian*, and Sir *Robert Erskine*. Theſe Gentlemen at length agreed, " That Monſieur *David* de *Brus* ſhould be inſtantly ſet at Liberty, " and that he ſhould pay for his Ranſom the Sum of 90000 Merks " *Sterline* by equal Proportions within the Space of 9 Years ; " that 10000 Merks, being the firſt Proportion, ſhould be paid " at the Feaſt of *Candlemaſs* next to come ; the ſecond at *Candlemaſs* " 1357, and ſo on till complete Payment ſhould be made of the " whole. That during the ſaid Space of 9 Years there ſhould be " a Truce between the two Kingdoms. That 20 *Scots* Gentlemen, " the Heirs of the greateſt Families in that Kingdom, ſhould re- " main in *England* as Hoſtages and Sureties for the ſaid Sum ; and " that, if any Part thereof was not paid at the preciſe Term ap- " pointed, then the ſaid *David* ſhould return to *England*, and con- " tinue there a Priſoner till it was paid ; or, if he was detained " by ſome juſt Impediment, that the Lord High Steward of *Scot-* " *land*, the Lord of *Douglas*, *Thomas Murray* and *John* of the *Iſles*, (" then

(*a*) Fœd. Angl. Tom. V. p. 746. (*b*) Ib. p. 756. (*c*) Ib. p. 758. (*d*) Ib. p. 761. (*e*) Ib. p. 791, 792. 793. (*f*) Ib. p. 799, 800.

" (then it ſeems a Complyer with the Government,) ſhould come " and ſupply his Place." Theſe Articles were not only aſſented to by the Plenipotentiaries of *Scotland* and *England*, but by both King *Edward* and the Prince of *Wales* his Son confirmed and ratified, firſt at *Weſtminſter* (*a*) on the 5th of *October*, and afterwards at (*b*) *Berwick* on the 5th of *December*. Nay, to ſay the Truth, King *Edward* was ſo very earneſt and ſincere upon the Matter, that thinking the Treaty as good as concluded, he iſſued his Proclamation (*c*), commanding all the Nobility and Gentry in the Neighbourhood of *Newcaſtle*, to repair thither in their beſt Equippage, to witneſs the Delivery of the Perſon of King *David* into the Hands of his Subjects, and to receive the Hoſtages that were coming from *Scotland* in his Place. But the Hoſtages did not come, nor did the Government of *Scotland* think fit to ratify the Treaty, for what Reaſon I cannot tell. Perhaps they found it no eaſy Matter to raiſe ſuch a Sum as was demanded for the King's Ranſom, and it may be, that they were diſſatisfied that the Lord *Baliol*'s Title was not turned out of Doors, and that of King *David* acquieſced in and acknowledged by the *Engliſh*; or, what is yet more probable, they deferred ratifying this ſeparate Treaty till their Ally the King of *France* ſhould approve of it, and confirm another Agreement made much about the ſame time, by his and the *Engliſh* Ambaſſadors at *Calais* (*d*). But that Prince abſolutely refuſed to comply with it, and the War broke out anew in 1355, as I have already related. But in *January* 1356, at which preciſe time the Lord *Baliol* made over his whole Claim and Pretenſions to King *Edward*, I find, *That* Robert *Lord High Steward* (*e*), *and Lieutenant of the moſt ſerene and illuſtrious Prince* David *by the Grace of God King of* Scotland, *did in a full Council Royal holden at* Perth, *with Advice and Conſent of the Prelates, Nobles, and whole Community of the Kingdom, name, conſtitute and appoint* William *Biſhop of St.* Andrews, Patrick *Biſhop of* Brechin, *Sir* William Livingſton *and Sir* Robert Erskine, *his Plenipotentiaries and Commiſſioners, with Power to them to treat about the Redemption of the King, and a final Peace with* England. But King *Edward*, bent as he was at the time upon revenging the Injuries but lately done to his Subjects, had no Regard to thoſe amicable Advances: On the contrary, he made it his Buſineſs to debauch *John* of the *Iſles* and his Adherents from their Allegiance to King *David*; and the War was carried on till, the King of *France* being made a Priſoner, the Pope's Legates at *Bourdeaux* mediated a two Years Truce in *March* 1357. Notwithſtanding the *Scots* were expreſly comprehended in it, as I have already related, yet theſe laſt, and the *Engliſh* Council by the ſame Mediation, agreed to another at *London* (*f*) on the 8th of *May* following: And 'tis obſervable, that in this laſt Treaty King *David* is ſtiled *Monſieur David*

Treaty concerning K. *David*'s Redemption agreed to by the *Engliſh*, but rejected by the *Scots*.

Treaty of *Berwick* concerning K. *David*'s Redemption agreed to by both Nations.

(*a*) Fœd. Angl. Tom. V. p. 799. (*b*) Ibid. p. 812. (*c*) Ibid. p. 807. (*d*) Ibid. p. 816, 817. (*e*) Ibid. p. 831. (*f*) Ibid. Tom. VI. p. 15.

vid Roy d'Eſcoſſe, that is, he is acknowledged King of *Scotland* by the *Engliſh*, as he had ever been by all but them. From thence it was eaſy to conclude, that the Time of his Delivery was drawing near; yet all Matters in debate were not finally adjuſted: But he was ſoon after conducted to *Berwick* (*a*), where he was met by (*b*) *William* Biſhop of St. *Andrews*, *Thomas* Biſhop of *Caithneſs*, *Patrick* Biſhop of *Brechin* and Chancellor of *Scotland*, *Patrick* Earl of *March*, Sir *Robert Erskine* and Sir *William Livingſton*, Plenipotentiaries named as before and commiſſioned by *Robert Stewart* Guardian of *Scotland in a full Council of the Kingdom*, (for ſo it ſeems the Parliament was then called) holden at *Edinburgh* on the 26th of *September*. Beſides theſe there were others named by the Clergy, others by the Nobility, and others in fine by the Burrows, to repreſent their reſpective Bodies at the Congreſs, and to manage their ſeparate Concerns. On the other Hand (*c*), the Commiſſioners for King *Edward* were *John* Archbiſhop of *York*, *Thomas* Biſhop of *Durham*, *Gilbert* Biſhop of *Carliſle*, and the Lords *Percy*, *Nevill*, *Scroop* and *Muſgrave*, who, on the 3d of *October* (*d*), came to this final Agreement.

I. That King *David* ſhould be releaſed, ſet free and ranſomed for 100000 Merks *Sterline* Money, to be paid yearly by 10000 Merks, the firſt Payment to begin at *Midſummer* next following at *Berwick*, if then in the Hands of the *Engliſh*.

II. That there ſhould be a firm Truce kept and obſerved in *England*, *Scotland* and the Iſle of *Man*, during the ſpace of Ten Years, or at leaſt till the whole Sum was paid, and that *Edward* de *Baliol* and *John* of the *Iſles*, as Allies of the King of *England*, ſhould be included in this Truce.

III. That for Performance of the whole Treaty, King *David* ſhould deliver 20 Hoſtages to the King of *England*: And theſe were the ſame, who, in the preceeding Treaty of the Year 1354, had been ſingled out for the ſame Purpoſe, *viz.* the Heirs of the High Steward, the Earls of *Sutherland*, *March* and *Wigton*, and of the Lords *Cuningham*, *Graham*, *Livingſton*, *Erskine*, *Fullerton*, *Stewart* of *Darnley*, *Hay* of *Lochinwaret*, *Gray*, *Weems*, *Kennedy*, *Berkley*, &c.

IV. That, if the Money was not paid at the Terms agreed on, King *David* himſelf ſhould return into *England*, and render himſelf Priſoner, there to remain, till all the Arrears of his Ranſom were diſcharged; but in caſe he were hindred from going thither, that then he ſhould ſend in his ſtead the Lord High Steward of *Scotland*, the Lord of *Douglas* and *Thomas Murray*; or failing of them, three others of the higheſt Quality. And ſo ſecure were the *Engliſh* with reference to this Article, that they not only obliged King *David* to ſwear to the Performance of it, but alſo to declare himſelf infamous, and degraded from all Honours and Dignities; and, which

(*a*) Fœd. Angl. Tom. VI. p. 31. (*b*) Ibid. p. 41, 42, 43, 44. (*c*) Barnes p. 528, 529, &c. Tyrrel Vol. 3. p. 608, 609, &c. (*d*) Barnes, Tyrrel locis citis. Fœd. Angl. Tom. VI. p. 52, 53, 54, &c.

which was more, to order and command his own Subjects to expell him as unworthy to be their King, in caſe he ſhould ever offer to infringe it. And, as if this was not enough,

V. The King with his Prelates, Lords and Merchants make themſelves liable to the Cenſures of the Church, and are willing to be deprived of the Communion of the Faithful, in caſe they ſhould fail to pay the Money at the Terms above mentioned; nay, each of them in particular obliges himſelf as principal Debitor for the whole Sum.

The other Articles, becauſe leſs material, I purpoſly omit. The whole was ratified two Days after in the moſt ſolemn Manner imaginable, not only by the King, now ſuppoſed to be at Liberty, but alſo by all the Deputies of the three Eſtates there preſent: And the ſame was done a ſecond Time by a *full Council* of the Kingdom of *Scotland* (*a*) aſſembled at *Scoon* on the 6th of the enſuing *November*; and on the 8th of the ſame Month (*b*) King *Edward* both ratified the Treaty, and ordered Sir *Archbald Douglas*, *John Gordon*, *William de Toures*, and ſome other *Scots* Gentlemen (becauſe made Priſoners during the Truce) to be ſet at Liberty. And in this Record again, as well as in all thoſe drawn up by the Commiſſioners of both Nations at *Berwick*, I obſerve, that King *David* is called King, and by conſequence acknowledged as ſuch; yet for the moſt part afterwards King *Edward* ſtiles him only *David Bruce* his Brother, or *David Bruce* his Priſoner, and ſometimes the illuſtrious *David Bruce*. The Reaſon of this inconſtant Behaviour is obvious: The *Scots* had, no doubt, required as a Preliminary, that their Sovereign ſhould be ſtiled and acknowledged to be, what he really was, King of *Scotland*, in all ſuch Tranſactions as they were to countenance or acquieſce in: But a final Peace was not yet concluded, and till then King *Edward* thought fit to value himſelf, both upon his old Pretenſions, (tho, by the by, he had long ſince renounced them,) and upon the late Grant he had obtained from the Lord *Baliol*; wherefore his Conduct in that reſpect is no Matter of Wonder. On the contrary, if one but conſiders the low State both of *Scotland* and of *France* at the Time, and the dazling Glories of *England* by which they were eclipſed, he'll rather admire that King *Edward* parted with his Royal Priſoner upon ſo eaſy Terms. But what ſhould he do? A War of no leſs than 71 Years ſtanding (I reckon from the Year 1296 when it firſt broke out,) had taught him that *Scotland* was not to be ſubdued by Force: He liked Money, and, had King *David* died in *England*, his Ranſom was paid of Courſe. What King *Edward* could, he did; he laid hold on the lucky Juncture of his Affairs to exact 10000 Merks more than he had been formerly willing to accept of; and 10000 Merks *Sterling* was in thoſe Days a very valuable Sum. Beſides he got, (or rather forced) ſuch Security for the whole, as

(*a*) Fœd. Angl. Tom. VI. p. 68. (*b*) Ibid. p. 69.

ſhew him to be equally intereſted and politick: For by the many and illuſtrious Hoſtages he had in his Cuſtody, he was aſſured not only of Payment, but, (what was yet more to be regarded,) that, during the not payment, the *Scots* were laid aſide, and he might by conſequence either make War againſt the Kingdom of *France* with Advantage, or exact ſuch a Ranſom from that King as he pleaſed: So that the Treaty he now made with the *Scots* was really a Maſter-piece of Policy; and *Buchanan* is very far out, when he inſinuates (*a*), That his Mind being now ſatiated with Glory, was the more eaſily inclined to Juſtice. Nevertheleſs, as if he had not made the moſt advantagious Treaty he poſſibly could, *Engliſh* Authors (*b*), contrary to the unqueſtioned Teſtimony of their own Records, add, that King *David* was bound never after to bear Arms againſt the King of *England*, nor either counſel or abet any of his Subjects ſo to do; as alſo, to uſe his utmoſt Endeavours to perſwade the Council of his Kingdom to agree, that the Crown of *Scotland* might be held by Homage of that of *England*. The firſt Aſſertion is abſolutely falſe, and what Truth is in the ſecond I ſhall afterwards enquire. In the mean time, I cannot but take notice of the unparallelled Love, Reſpect and Zeal expreſſed by all Ranks of Men, the Clergy, Barons and Burghers of *Scotland*, for the ſacred Perſon of their Sovereign: For, after all, what got they by the Bargain? Nothing but the Pleaſure of doing their Duty. Inſtead of an unfortunate King, they had a happy and wiſe Guardian to govern them; and he, being himſelf the Heir apparent of the Crown, had a numerous Progeny of brave Youths to ſucceed him. And what could they expect from the Return of King *David*, that was wanting under the Adminiſtration of his Nephew? A Truce with *England*, or a Reſpite from War? That they had obtained, tho for a ſhorter time, but ſome Months before; and a ſhort Truce with *England* was, in thoſe Days, more agreeable to their Martial Spirits, and more ſuitable to the received Maxims of the Time, than a long one; they had no ſooner laid down their Arms, but they longed to take them up again. This is ſo true, that, if we may believe *Knighton* and thoſe that have copied after him (*c*), "Whatever Truce was agreed to by the reſpective Go-"vernors of both Nations, there was none entirely obſerved, but "either by the Robberies of the Borderers on Land, or the Pira-"cies of private Men at Sea, interrupted by the *Scots*; particu-"larly this very Year, while the two Kings were labouring what "in them lay for an everlaſting Concord, three *Scotch* Pirates "with 300 choſen Men of Arms, went cruiſing about the Coaſts "of *England* to trepan Merchants, and ſuch as they could get "they ſlew and riffled; but being by a Tempeſt driven upon "the Shore, were brought to a juſt Account for their Piracies." 'Tis probable that Sir *Archbald Douglas*, *John Gordon*, and thoſe other

(*a*) p. 304. (*b*) Vid. Knighton cited by Barnes loc. cit. (*c*) Barnes loc. cit.

ther Gentlemen, who, as I have ſaid, were by King *Edward*'s expreſs Commands ſet free, becauſe taken during the Truce, did belong to theſe Ships, and as likely that when driven upon the Shore, the *Engliſh* would ſeize them as Pirates, as that they really were ſuch: For which Reaſon I cannot give entire Credit to *Knighton* a paſſionate Author, ever ready to commit to writing ſuch invidious Reports as were ſpread abroad among the Populace concerning the *Scots*. Yet from theſe very Reports we may ſafely conclude what I have aſſerted, That the generality of the *Scots* Nation were in thoſe Days more fond of War than Peace, and of ſhort than long Truces. When their Commanders were ſo wiſe as to avoid univerſal Engagements with Armies by far ſuperior to their own in Numbers and Diſcipline, they generally gained by the War, and lived upon the Spoils of the Enemy: But their Hands were tied up in Peace, and the Bent of their Hearts inclined them to a Rupture. 'Tis plain then, that a ten Years Truce could be to them no Equivalent for the great Sum of Money they were to pay during that Time. The Sum was ſo great, that, to ſay the Truth, *Scotland*, being by Reaſon of the long War deſtitute of Trade and Agriculture, by Friends and Foes ſo often of late over-run and laid waſte; and, (which is no leſs remarkable,) impoveriſhed by the many Ranſoms paid for the Relief of her captivated Nobility at the Battle of *Durham*, could not afford it. Yet they made a Shift to make the firſt Payment (*a*) preciſely at the Time appointed, that is, on the 24th of *June* 1358: But the gracious King *David*, foreſeeing that it was not practicable to be ſo punctual in the Payment of the ſecond Proportion, ſent his Royal Conſort Queen *Jean* (*b*), with a noble Retinue of Prelates, Gentlemen and Ladies to the *Engliſh* Court, no Doubt in order to try what Eaſe ſhe could procure from her Brother the King of *England* for the diſtreſſed Subjects of her Husband. But ſhe had not the Succeſs ſo great a Compliment ſeemed to deſerve: Wherefore the King himſelf followed her in Perſon (*c*) towards the end of *Autumn*, and (ſince I find that he was ſtill at *London* (*d*) on the 18th of *January* 1359,) muſt needs have paſt the *Chriſtmaſs* Holy-days at the Court of *England*. And upon this Occaſion, to be ſure, it has been, that King *Edward* to diſplay his Glory, ſat at Table with his Crown upon his Head between his two Priſoners the Kings of *Scotland* and *France*: A Piece of Oſtentation *Scots* Authors have taken Notice of; but, ſays Mr. *Barnes*, they are in the Wrong, becauſe theſe *two Kings were not Captives together in* England *during any one* Chriſtmaſs *at all*. Mr. *Barnes* is miſtaken, they were together this *Chriſtmaſs* at *London*, and King *David* was ſtill reputed a Priſoner by the *Engliſh*, while his Ranſom remained unpayed: Nay, in the ſafe Conduct granted to him upon his entring the *Engliſh* Territories (*e*) King *Edward* deſigns

A. D. 1358.

Jean Queen of *Scotland* pays a Viſit to her Brother the King of *England*.

Is followed by the King her Husband

(*a*) Fœd. Angl. Tom. 6. p. 91. (*b*) Ib. p. 73, 75, 82. (*c*) Ib. p. 98. Barnes, p. 549, 550. (*d*) Ib. p. 115. (*e*) Ib. p. 98.

him *The illuſtrious* David *de* Brus *his Priſoner*. Whether this was mannerly or no I do not determine: 'Tis certain that King *David* was neceſſitated to ſuffer theſe and the like Indignities, or, which was worſe, to break his Faith ſo ſolemnly plighted, and ſuffer his Hoſtages tobe executed upon *Engliſh* Scaffolds. Neither was he worſe uſed than the King of *France*, a much more potent Monarch than himſelf, who was likewiſe obliged to ſubmit to the Fate of War, and conſequently to the Capricio's of the Victor. An *Engliſh* Hero and King, *Richard Cœur de Lion*, in the like Circumſtances (*a*) put up greater Affronts, and yielded to meaner Terms, even the Subjection of his Crown and Kingdom to a foreign Uſurper: As for his Ranſom, it was not much greater than that of King *David*; and all *Engliſh* Authors tell us, with what Difficulty that Part of it which he payed, was raiſed upon his Subjects, not only of *England*, but alſo of *Ireland* and *France*. So that ſince theſe larger and more fertile Countries could not afford 150000 Merks, 'tis not to be wondered, that two Centuries after (during which Period of Time I have no Reaſon to think that the increaſe of Money was conſiderable in *Europe*) one hundred Thouſand ſhould be ſo burdenſom to *Scotland*, eſpecially in the low Condition to which the preceeding Wars, and Famine, and Plague had reduced her. To eaſe his Realm of that exceſſive Debt, King *David* is, by *Knighton* (*b*), ſaid to have offered his Service to King *Edward*, and proferred to accompany him in his Wars againſt *France*. This I do not believe, and ſhall by and by evince, that he had no Deſign to break with his ancient Allies. He alſo deſired, adds that Author, that, in order to create a mutual Love and Friendſhip betwixt the two Nations, there might be free Intercourſe and a Communication of Trade allowed to their Merchants, and that the *Scottiſh* Youth might be admitted to ſtudy in the Univerſities of *England*. Theſe Requeſts, ſince no leſs, if not more advantagious to *England* than *Scotland*, were eaſily granted; and I obſerve that after this, a great many young Eccleſiaſticks and others of the *Scots* Nation reſorted to the Univerſities of *Oxford* and *Cambridge*. But with Reference to the Ranſom nothing could be obtained, ſave that at the Entreaty (*c*)
A.D. 1359. of his Siſter the Queen of *Scotland*, King *Edward* condeſcended to delay the ſecond Payment due at the Nativity of St. *John Baptiſt*, that is, the 24th of *June*, till *Martinmaſs* following. Wherefore

King *David* being ſo unmercifully put to it by his dunning Creditor, and unable to raiſe ſuch a Sum, and in ſuch haſte, from among his own Subjects, was no ſooner returned to *Scotland*, but he thought fit to have Recourſe to his Allies the *French*. Accordingly at *Edinburgh* on the tenth of *May*, he commiſſioned (*d*) Sir *Robert Erskine*, called in the Record his Couſin, Sir *John Grant* and *Norman Leſly* his Armour-bearer, to go over to *France*, and to renew

(*a*) See the firſt Vol. p. 289 (*b*) Cited by Barnes, p. 549. (*c*) Fœd. Angl. Tom. 6. p 118. (*d*) Record taken from the Regiſt. of France penes Georg. Comit. de Winton. Traitez d'entre, &c. p. 245.

w the old League (ſo it is expreſly called) hitherto inviolably rved between the two Nations. Theſe Ambaſſadors arrived *Paris* before the 15th of *June*, on which Day at *Lupar* near *Paris*, *Charles* eldeſt Son to King *John*, and in his Abſence Guardian of the Kingdom, gave the ſame Commiſſion, and in the very ſame Terms, to *Simon* de *Bucy* Chevalier, and *John Chalemart Conſeiller du Roy*; and the Plenipotentiaries for both Sides being met, thoſe of *Scotland* produced a Copy of the Treaty (*a*) of *Berwick*, then gave a ſuccinct Account of the long War their King and Kingdom had ſuſtained againſt the King and Kingdom of *England*; adding, that their Royal Maſter might have been much ſooner and upon eaſier Terms relieved from Captivity, had he not abſolutely refuſed to renounce his Alliance with *France*; but that confiding on the Aſſiſtance of the King Regent and Kingdom of *France*, he had only treated about his own Redemption, and engaged to pay 100000 Merks *Sterling* by equal Proportions within the ſpace of Ten Years, for which ſeveral Noble Perſons his Subjects were Hoſtages in *England*, and that, till they were relieved by complete Payment of the whole Sum, a Truce was agreed to; That but 10000 Merks were yet paid, and 90000 remained due, which the *Scots* of themſelves would not be able to pay ſooner than was agreed to by the Treaty, nor could they by conſequence make War againſt *England*, till the Ten Years were expired; That nevertheleſs they very much inclined to renew the War, and might juſtly do it, were the Money paid and their Hoſtages relieved. Wherefore, in regard the King and Kingdom of *France* were obliged, when required, to give Aid and Counſel to the King and Kingdom of *Scotland*, they now deſired ſuch Counſel and Aid as were neceſſary in the preſent Juncture of Affairs. The Plenipotentiaries for *France* replied, That by the ancient League, the King and Kingdom of *Scotland* were bound to make no Peace nor Truce with *England*, without comprehending the King and Kingdom of *France* therein; That at preſent there was an open War between *France* and *England*, and that the King of *France* himſelf, and a great many of his Earls and Barons were actually Priſoners in *England*; that therefore the Regent and Kingdom of *France* could not aſſiſt the King and Kingdom of *Scotland* ſo powerfully, nor ſo ſoon, as they would otherwiſe do: But, if the *Scots* would, in purſuance of former Treaties, undertake to renew the War, then, towards promoting that and paying part of the Ranſom, they were willing to advance to the ſaid King at *Bruges* in *Flanders*, in the Church of the *Auguſtines* by *Eaſter* next, the Sum of the 50000 Merks *Sterling*, for the greater Eaſe and Encouragement of the King of *Scotland*. They likewiſe conſented to paſs from an Article of a former Treaty, by which he was obliged to ſend 500 Men at Arms, and as many Archers, to the Service in *France*. Upon which the *Scots*

(*a*) Still extant dans les Regiſtres de France, M. S. penes Comit. de Winton.

Commiſſioners did undertake, upon receipt of the promiſed Money, to renew the War at their own Charges, (*de faire bonne et Guerre*, are the Words of the Record,) and to proſecute the [illegible] with Vigour, till Victory or a general Peace was obtained. This Treaty was agreed to by the Plenipotentiaries on both ſides on the 29th of *June* 1359, in the new Hall of the Royal Palace in *Paris*, and ratified the ſame Day and Date by *Charles* Regent of *France*: But I believe that it had no Effect; for tho I find (*a*), that the ſecond Payment of King *David*'s Ranſom was made this Year partly at *Bruges*, and partly at *Calais*, yet thoſe Sums cannot be thought to have come from the Regent of *France*, ſince he was not obliged to tranſmit Money to the firſt of theſe Places till the *Eaſter* following, and by that time the Face of Affairs was mightily altered. But that the Reader may the better underſtand, whence it came, that this Treaty, ſo advantagious to *Scotland*, was not obſerved, and by conſequence the Reaſons of King *David*'s After-conduct, with reference both to *France* and *England*, it ſeems neceſſary to give him a View of the then Circumſtances and Condition of *France*.

The *French* (*b*), as loyal a Nation as they are juſtly reputed, were very far from behaving ſo well in the Abſence of their captivated King, as the *Scots* had done upon the like Misfortune. *Charles*, afterwards ſirnamed the *Wiſe*, who was the firſt of the eldeſt Sons of *France* that was entitled the *Dauphin*, took the Government upon him, (as I have already told,) during his Father's Impriſonment, and immediately called a Convention of the States; but they were ſo far from finding out a Remedy for the publick Calamities, that on the contrary, by their Factions and Diſreſpect to their Guardian, they heightned them: The City of *Paris* was no leſs inſolent, the Mob got up in prodigious Multitudes, and drew the King of *Navarre* from Priſon; and he failed not to perpetrate all the Miſchief in his Power, under the Pretence of ſerving him. The *Engliſh*, notwithſtanding the Truce, committed (ſay even their own Authors) terrible Devaſtations, and gained great Treaſure, Booty and Ranſoms in *Bretaigne* and *Normandy*. But, which was yet worſe, more than 100000 Peaſants took Arms, with a Deſign to extirpate the Nobility; and the whole Kingdom was overrun with diſſolute Soldiers of ſeveral Nations, who having no General, waſted all at their pleaſure, and diſcovered all the Miſeries of Anarchy and Confuſion. Fame, accuſtomed to aggrandize every thing, did not leſſen theſe Diſaſters, which were ſuch as encouraged the King of *England* to ask, and obliged his Priſoner the King of *France* to grant the moſt exorbitant Conceſſions that could be. But the States of *France* were not of their King's Opinion; they would by no means ſuffer ſo many fair Provinces to be rent from

(*a*) Fœd. Angl. Tom. VI. p. 143. (*b*) Traitez d'entre, &c, p. 244, 245, &c, Orleans Liv. V. p. 61, 62, &c. Echard p. 371, 372. Barnes, Tyrrel, &c.

the Monarchy, as King *Edward* deſired; and the Pope's Le-
ould not, with two Years Labour, draw any thing to ſuch an
, as they for their Sovereign's Liberty would perform.
herefore King *Edward*, (by reaſon of the Truce with King *Da-*
) ſecure at home, and encouraged by the favourable Diſorder
of Affairs abroad, with a vaſt Fleet of 1100 Sail paſt over to *Ca-*
lais, much about the time that the *Scots* Ambaſſadors were in *France*;
and this was one of the Reaſons of the Treaty they concluded.
From *Calais* he ſet forward at the Head of an Army conſiſting of
100000 Men, divided into three great Bodies or Battalions, and
marched by *Arras* to *Rheims* the Metropolis of *Champaign*, where
the Kings of *France* are uſually crowned and anointed; an Honour
he alſo deſigned to have done to himſelf, the rather becauſe he ſtill
continued to uſe the Arms and Title: But miſſing of his Aim and
the Place, he nevertheleſs kept his *Chriſtmaſs* near it, and being
Maſter of the open Fields, he raiſed what Contributions he plea-
ſed in the adjacent Countries. From thence he advanced, as he A.D. 1360.
had once done before, to the very Walls of *Paris*, and took up his
Quarters at *Bourg la Reine* on the *Tueſday* before *Eaſter*, preciſely
at the time when the Regent of *France* ſhould have, in purſuance
of the late Treaty agreed to with the *Scots* Ambaſſadors, advanced
the Sum of 50000 Merks to King *David*, who, had he received
the Money, would have probably made ſuch a Diverſion in favour
of *France*, as had ſtopt the Current of the *Engliſh* Succeſſes: But
it is evident from what I have ſaid, that *France* was in no Condi-
tion to perform her Part of the Agreement, and King *David*, re-
gardful both of his Faith and Hoſtages, could not attempt any
thing againſt *England*, while his Ranſom remained unpaid: He
therefore lay by, and the Regent of *France* did all that was reaſon-
able or practicable at the time: He wiſely avoided coming to a de-
ciſive Battle, and defended *Paris* ſo well, and ſo long, that King
Edward was fain to retire into *Bretaigne*, in order to refreſh his Ar-
my. All this time the Pope's Legates never ceaſed endeavouring
a Peace; but the victorious Monarch would hearken to no Terms,
till he himſelf was vanquiſhed by a terrifying Accident that fell
out while he was converſing with the Mediators. A prodigious
Storm of Thunder and Rain aroſe all on a ſudden, and killed 6000
of his Horſes, and near 1000 of his Men, which ſo aſtoniſhed him,
that looking upon it as a Mark of the Divine Diſpleaſure, he tur-
ned himſelf to the Church dedicated to the Mother of God at
Chartres, and vowed that he would give a final Peace to *France* up-
on much eaſier Terms than he had hitherto propoſed. Yet the
Terms he agreed to were by the *French* thought very hard. 'Tis
true, that he once more gave up his Pretenſions to, and laid by
the Title of King of *France*; but then he exacted for the Ranſom
of King *John* no leſs than Three Millions of *Crowns*, that is,
500000 *Lib. Sterling*, the 5th Part to be paid down, and the reſt

in two Years Time. He alſo obtained not only the Property, what none of the *Engliſh* Monarchs had ever attained to in before, the Sovereignty of many fair Provinces and great T ſuch as *Guyenne*, *Poictou*, *Xaintoigne*, *l'Angoumois*, *l'Agenois*, *le Perig* &c. *la Rochelle*, *Boulogne* and *Calais*. Beſides all which (*a*) the King and Kingdom of *France* were to renounce their Alliance with the *Scots*, provided that the King of *England* ſhould alſo withdraw his Protection from the *Fleemings*. This Peace, ſcandalous and diſgraceful on the part of *France*, were it for no other Reaſon, but becauſe a ſeparate one (*b*), was on the 24th of *October* ratified by both the Kings of *France* and *England* at *Calais*, where the former delivered up to the latter a great many Hoſtages, all of the firſt Quality, who were Sureties for his Ranſom, and then was ſet at Liberty, after he had been a Priſoner above four Years.

That the *Dauphin* expreſſed on this Occaſion a great deal of filial Affection towards his Father, and the *French* in general no leſs Loyalty to the Perſon of their King, cannot be denied; and I'm apt to believe, that there have been, and ſtill are ſuch Nations and ſuch Children, who had ſuffered their King and Father, not only to live ſome Years, but even to die in Exile or Priſon, rather than to purchaſe his Liberty at ſo dear a Rate. For, to ſay nothing of the Provinces, I may ſay Kingdoms; (for ſome of them were really ſuch, if compared with moſt Countries then dignified with that Appellation) what a vaſt Debt did the Remainder of the Monarchy bring upon it ſelf? And what heavy Taxations muſt be laid upon the People, in order to the raiſing of ſo great a Sum? The People in other Parts of the World, to be rid of leſſer Burdens, have often rebelled, and ſometimes murdered their Sovereigns. Since then the *French* undertook ſo much to their own Prejudice, 'tis no great Wonder that they alſo promiſed to break off their Alliance with *Scotland*. The Truth is, they never meant to perform but juſt as much of the Treaty, as their preſent Circumſtances and the Will of their King compelled them to. This appeared very ſoon after to be true, and 'tis what muſt be looked for (right or wrong, I do not determine) from all People and States whatſoever, when by a prevailing and unconſcionable Enemy hectored into the like Terms of Accommodation. In ſuch Caſes no Treaties are by the Loſers thought ſacred, no Writs obligatory, no Oaths nor Aſſeverations binding: For which Reaſon, as Victory is uncertain, ſo the Victors, if they would enjoy the Fruits of it, ought to be moderate in their Demands, and never exact what muſt ever be grating and odious to the vanquiſhed. Had King *Edward* kept within Bounds, and concluded a final Peace both with *France* and *Scotland* upon ſuch honourable and advantagious Terms, as thoſe Nations, (equally zealous for the Redemption of their reſpective Sovereigns,) would not have been backward to grant, he had not only immortalized his

(*a*) Fœd. Angl. Tom. 6. p. 264. Traitez d'entre, p. 252. (*b*) Ib. p. 235, 236.

his own Name, and enriched his People, but freed his Poſterity from the unavoidable Wars he unneceſſarily entailed upon them, which, becauſe not ſo proſperous, (and what Nation was ever always ſucceſsful in War?) very much contributed to thoſe convulſive Motions that afterwards ſhook the Throne, and unhinged the whole Frame and Conſtitution of the Kingdom. However, he triumphed at the Time, and *England*, proud of her Conqueſts, and enriched with the Spoils and Treaſure of the Vanquiſhed, became the Wonder and Terror *Europe* : All neighbouring States courted her Friendſhip, and the greateſt Potentates then in Being thought it not below them to go in Perſon, and agent their own Affairs at the *Engliſh* Court, which in no Age preceeding had ever been ſo great and ſplendid as then. Hence 'tis that ſome Years after this, I mean in the end of the Year 1363 or the (*a*) beginning of 1364, no A.D. 1363. leſs than three, ſome ſay four Kings, *John* King of *France*, *David* King of *Scotland*, *Peter* King of *Cyprus*, and *Waldemar* King of *Denmark*, were all at the ſame Time together with King *Edward* at *London*; and one Citizen, Sir *Henry Picard* a Merchant Vintner of *Gaſcoign*, and formerly Lord Major, had the unprecedented Honour to give a moſt magnificent Entertainment at his own Houſe to all theſe Monarchs, to *Albert* Duke of *Bavaria*, and to a great many Princes and Lords that attended them : And ſo flouriſhing was that Capital, that not only the Lord Mayor, but moſt of the Aldermen in their Turns, had the Generoſity and Ability to invite and entertain all theſe Royal Gueſts, if not together, as Sir *Henry*, at leaſt ſeparately ; and to be ſure King *Edward* himſelf would not miſs of the Opportunity to diſplay his Magnificence in the Preſence of ſo good Company. But all this was nothing but Shew and Parade: He complyed with the Requeſts of none of them ; the King of *Cyprus* and Duke of *Bavaria* wanted his Aſſiſtance towards a War with the Infidels, but being unable to obtain either Men or Money from him, took their Leave after ſome Months ſtay, and paſſing over to his *French* Territories, where the Prince of *Wales* reſided, made their Applications to that young Heroe, who they hoped would be more generous, but were miſtaken. 'Tis thought that the King of *France* came over to *England* upon much the ſame Errand, tho others are pleaſed to aſcribe the Viſit he paid at this Time to an Intrigue of Love with I know not what *Engliſh* Lady, but with leſs Probability; for, beſides that the Beauty he ſo much longed to ſee cannot be found out, 'tis certain that, in Imitation of his braveſt and moſt pious Anceſtors, he had of late made vaſt Preparations for the Holy War, and ſolemnly vowed to take the Croſs upon him. However it be, he miſſed his Aim, for he died at *London* on the 8th of *April* 1364, and is by *Engliſh* Authors ſaid to have owned on his Death-bed, that he unjuſtly with-held the Crown of *France* from the King of *England* till the late Peace of

(*a*) Tyrrel, Vol. 3. p. 653, 654. Echard, p. 373. Barnes, p. 635.

Bretigny. But how far *Engliſh* Authors, when they relate Matters of this Nature, are to be credited, I leave to the Determination of others. As for King *David*, his Buſineſs at the Court of *England* was very well known, he had as yet paid but the two firſt Moities of his Ranſom; and being (for the Reaſons I have told) diſappointed of the Money he expected from *France*, and unable to raiſe more within his own impoveriſhed Territories, he was fain to do almoſt any Thing, at leaſt to lend a complaiſant Ear to the moſt grating Overtures of Accommodation, rather than to render himſelf and his Subjects lyable to thoſe exorbitant Penalties expreſt in the Treaty of *Berwick*. To avoid theſe, and to gain time, he ſet ſeveral Treaties on Foot (*a*), and at length came to *London* in Perſon, as I have but juſt now intimated. When there, he appointed (*b*) *William* Biſhop of St. *Andrews*, *Patrick* Biſhop of *Brechin*, Sir *Robert Erskine* and *Norman Leſly* to treat about a final Peace with thoſe named by the King of *England* for the ſame Purpoſe. No doubt they had ſeveral Meetings and long Reaſonings together upon the Subject, but came to no Concluſion till the 29th *November*, when, in Preſence of both Kings, a Writ was drawn up importing (*c*),

I. That towards a final Peace, and a happy Union of the two Kingdoms, the King of *Scotland* ſhould propoſe to the Community of his Subjects, that in caſe he himſelf ſhould die without Heirs of his own Body, (which God forbid, ſays the Record) they would agree and conſent that the King of *England* and his Heirs ſhould ſucceed him in the Throne ——— Which if they could be prevailed upon to do, in that Caſe, the King of *England*, as an Equivalent for ſo great a Conceſſion, was to undertake,

II. That he ſhould forgive, and for ever diſcharge the whole Sum ſtill due for the Ranſom of King *David*.

III. That he ſhould inſtantly ſurrender and give up to King *David* and the Crown of *Scotland* all the Towns and Territories formerly poſſeſſed by King *Robert Bruce*, particularly the Town, Caſtle and County of *Berwick*, the Caſtle of, and neighbouring Country to *Roxburgh*, the Caſtles of *Jedburgh*, *Lochmaben*, &c.

IV. That he ſhould give full Satisfaction and equivalent Eſtates in *England* to the Earl of *Athole*, and the Lords *de Beaumont*, *Percy*, *Ferrers*, *Talbot*, &c. for their Claims and former Poſſeſſions in *Scotland*.

V. That he ſhould repone King *David* to all the Rights, Dignities and Territories (that is, to the Counties of *Northumberland*, *Cumberland*, *Weſtmorland*, *Huntington*, Palatinate of *Cheſter*, &c.) his Anceſtors and Predeceſſors had ever enjoyed in *England*, provided nevertheleſs, that he and his Heirs, Kings of *Scotland*, ſhould do Homage for them allenarly, and not at all for the Kingdom of *Scotland* it ſelf, to the King of *England* and his Heirs.

VI.

(*a*) Ib. p. 208. 276. (*b* Ib. p. 361. (*c*) Ib. p. 426, 427.

VI. That in all Events, the Name, Title and Dignity of the Kingdom of *Scotland* ſhould be honourably and inviolably preſerved, without Union (they meant an incorporating one, no doubt) or Annexion to that of *England*; and that for this Effect, the Sovereign of both ſhould be ſtiled *The Kings* in the plural Number, or otherwiſe, *The King* of *England* and *Scotland*.

VII. That the ſaid Sovereign, after being crowned King of *England*, ſhould come in Perſon, and be alſo crowned King of *Scotland* at *Scoon* in the *Marble Chair*, which ſhould forthwith be tranſmitted from *London* to *Scoon*.

VIII. That he ſhould keep his *Scots* Parliaments within the Bounds of *Scotland*, and no where elſe.

IX. That at his Coronation, he ſhould ſwear to maintain the Church of *Scotland* free and independent of all Archbiſhops and others whoever, the See of *Rome* only excepted; as alſo the Laws and Statutes made by the good Kings of *Scotland*; and ſhould call, nor ſuffer no *Scotſman* to be called out of the Kingdom of *Scotland*, to any Judicatory in Being.

X. That he ſhould ſuffer no Eccleſiaſtical Dignities nor Revenues within *Scotland* to be conferred on any but *Scotſmen*.

XI. That all temporal Dignities and Places of Profit, ſuch as theſe of Chancellor, Chamberlain, Judge, Sheriff, Provoſt, Baillie, Guardians of Towns and Caſtles within *Scotland*, ſhould be entruſted with none but *Scotſmen*.

XII. That all Prelates, Earls, Barons, Free-holders ſhould be maintained in the Rights and Privileges they then enjoyed.

XIII. That the Earl of *Douglas* ſhould be reponed to the Lands enjoyed by his Father and Uncle in *England*.

XIV. That none of the Grants made by the late King *Robert*, or the preſent King *David*, or any of their Predeceſſors ſhould ever be recalled.

XV. That the Merchants of *Scotland* ſhould have full Liberty of Commerce and Trade with the *Engliſh*, and that they ſhould not be obliged to go any where, not even to *Calais* (the then Staple Port for *Engliſh* Wool, which was their grand, and perhaps only Commodity) but might purchaſe Wool in *England* it ſelf upon paying but half a Merk Cuſtom for the Sack of it.

XVI. That the Sovereign, wherever he ſhould chance to be, ſhould always have by him a Council of *Scots* Peers and Lords, for the Direction of *Scots* Affairs.

XVII. That he ſhould impoſe no Taxes upon *Scotland*, but ſuch as had been paid to, and exacted by the beſt of *Scots* Kings.

XVIII. That he ſhould not oblige the *Scots* to ſerve in the Wars otherwiſe than was uſual before, nor to keep the Fields at their own Charges above fourty Days at a time; and that, if the Exigency of Affairs required any of them to continue longer in

the Service, they ſhould be paid out of the Exchequer, conform to their Rank and Quality.

XIX. That as often as the Sovereign ſhould be crowned at *Scoon*, the Articles of this Agreement ſhould be read to the King and People, and the former ſhould take an Oath to keep them inviolable.

XX. In fine, That the King of *England* was willing to grant, by the Advice of his Council, whatever elſe the three *Communities* of the Kingdom of *Scotland* ſhould ask for their further Security and Satisfaction.

After this Indenture (for ſo it was called) had been in this manner drawn out into Form, but not ſubſcribed nor finally agreed to by either Party, the two Kings of *Scotland* and *England* withdrew from the Aſſembly, and when they were gone, the *Engliſh* Plenipotentiaries then asked what Return the *Scots* would make for the Towns of *Berwick*, *Roxburgh*, *&c.* in caſe the King of *Scotland* ſhould have Heirs of his own Body to ſucceed him? The Anſwer made to that Queſtion I do not find upon Record: But from what I have found, and but juſt now related, it appears how earneſtly ſollicitous the *Engliſh* have at all times been to bring about an Union of the two Kingdoms, I mean a Federal one; for till of late they never propoſed to have us incorporated with themſelves, but when they thought themſelves, by the Succeſs of their Arms and our Diviſions, in a Condition to force what by a fair Treaty they could not obtain. I have inſerted the firſt Scheme of ſuch an Union as was, or in thoſe Days could be agreed to (*a*), in the firſt Volume of this Work, and now I have alſo inſerted this ſecond one at full length, the rather becauſe no Author, either *Scots* or *Engliſh*, (at leaſt to my knowledge,) has done it before me; but more particularly to oblige my Readers, by preſenting them with an Opportunity of exerciſing their Judgments, and comparing the preſent with bypaſt Ages. The *Engliſh* muſt needs be ſatisfied to find, that they have actually brought about an incorporating Union upon much eaſier Terms than thoſe in vain propoſed by their moſt politick and powerful Anceſtors towards effecting a federal one: And the *Scots*, as they are, or at leaſt were (for I believe they are by this time much of the ſame Opinion,) variouſly affected in this reſpect, ſo they will have the melancholy or ſatisfying Pleaſure to make their various Obſervations upon both. I would not be miſtaken in the Uſe I make of the Word *Melancholy*, for the moſt zealous of the Uniters, who, from the Treaty they made, expected ſuch a vaſt Increaſe of Treaſure and Wealth, cannot but regret that their Anceſtors were not ſo wiſe as they. Thoſe, who on the contrary oppoſed the Union, as equally diſhonourable and diſadvantageous, will conclude themſelves to be the genuine Offſpring of thoſe Patriots, and as they have their Wiſdom and Foreca-

caſt

(*a*) P. 460, 461.

caſt, (I ſpeak the Language of our Anti-Unioners) imagine that they have alſo their Reſolution and Courage. Whether King *David* himſelf was inclinable to complete the Treaty, or to have it rejected by his Subjects, is to me a Matter of great Doubt. *Scots* Authors generally ſay that he moved the Thing in Parliament, only to eaſe his Conſcience of an Oath King *Edward* had extorted from him while in Priſon, and that, when he found that the Overture did not take, he put on an angry Countenance, but was at bottom overjoyed. This is the more probable, becauſe of the Penalties he had in ſome Meaſure incurred upon the Account of the Not-payment of his Ranſom; Penalties exorbitant to the higheſt Degree, but ſuch as King *Edward* had infallibly exacted from him, but for his ſeeming Complaiſance in this Matter. On the other Hand, there are many Reaſons why one may probably conjecture that he was heartily ſincere, and would, (if in his Power,) have completed a Treaty by which he gained ſo much, loſt nothing, and ventured ſo little: For the Advantages it gave him were ſolid, becauſe certain; and certain, becauſe preſent: The immenſe Debt he owed, and the Penalties he had incurred, were inſtantly to be remitted, and he was to be reſtored, not only to his loſt Territories and Caſtles in *Scotland*, which were not inconſiderable, but alſo to thoſe large and fruitful Counties, that is, Provinces his Anceſtors had enjoyed in *England*. Theſe Baits, I muſt own, were extremely inviting, nor did he run great Hazard (one ſhould have thought) of being caught by the Hooks they covered. Queen *Jean*, by whom he had no Iſſue, was dead ſome Years before, I mean in (*a*) the Year 1358, and he was again married to *Margaret Logy*, Daughter to Sir *John Logy*, a Gentlewoman indeed very much inferior to himſelf in Quality, but beautiful and young, and in all reſpects fit, (as he had Reaſon to think,) to be the Mother of a numerous Progeny. But 'tis probable, (tho no Author I am acquainted with has fixed the Date of his ſecond Marriage,) that he had not been long a Widower; and ſince he had as yet no Children by this Lady, King *Edward* concluded that he would have none, elſe I cannot ſee a Reaſon, that could have induced that intereſted Monarch to part, as he was willing to do, with Certainty for Hopes. If King *David* was of the ſame Opinion, I think he was not ſincere in the Treaty; but if he thought otherwiſe, that is, if he had ſtill a Proſpect of begetting Heirs of his own Body, I am apt to believe that he was ſincere, and would have brought it to a Concluſion if he could. But, whatever were his own Sentiments, we are ſure that his Parliament unanimouſly rejected the Overture. It was no ſooner propoſed to them, ſays *Buchanan* (*b*), but all, with one tumultuous and confuſed Voice, expreſſed their Deteſtation againſt it; nor would they ſo much as reaſon upon the Matter, nor ſuffer it to be brought to a vote: Nay, there were

(*a*) Barnes p. 551. (*b*) p. 305.

thoſe, who fearing the King's Reſentment, began to meditate a Revolt. But the King, ſatisfied that a free and independent Nation was not to be forced, without the height of Injuſtice and Tyrany, into a Compliance with what themſelves conceived to be an Incroachment upon their Fundamental Conſtitution, did himſelf comply with their Humour, or yield to their Reaſons. Now what it was that made the *Scots* at that Time ſo obſtinately averſe from an Union ſo evidently advantagious, is not eaſily to be gueſſed. They had been depopulated and impoveriſhed by a calamitous War of near a hundred Years continuance; nor was it yet brought to a Period, nor like to be in haſte; and now 'tis in their own Power to accept of a perpetual Peace. A great Part of their Frontiers was ſtill in the Hands of the Enemy, and now they are courted by the Enemy both to receive their own, and to accept of large and fruitful Countries they had no Claim to. All their maritime, and moſt part of their Inland Towns had been often plundred, and ſometimes conſumed to Aſhes, and conſequently their Trade was ſunk, and their Merchants and Artiſans reduced to Poverty; and now they are invited to ſhare in the Commerce and Wealth of flouriſhing and triumphant *England*. All the Eccleſiaſticks, Barons and Burghers were conjunctly and ſeparately to pay a vaſt Sum of Money to a foreign Debitor; and he, notwithſtanding he had all the Security imaginable in his own Hands, was ſatisfied to forgive and diſcharge the Debt, that is, he offered them a Compliment of 80000 Merks *Sterl.* for no leſs was ſtill due for the Ranſom of their King; and of what Value 80000 Merks *Sterl.* were in thoſe Days, we may learn from the Valuation but ſome Years before put upon the whole South of *Scotland* from *Tweed* to *Forth*, which was no more than 2000 *Lib.* of yearly Rent. Why then did they obſtruct their own Happineſs, and refuſe to be rich? Was it that the Treaty overturned their Conſtitution, annihilated their Kingdom, reduced it to the ſervile Condition of being conſidered but as a Province, or County, or Appendix of *England*? Not at all: *The Name, Title and Dignity of the Kingdom of* Scotland *was to be honourably and inviolably preſerved.* Did they apprehend leſt they ſhould be out-voted, and taxed, and baffled by a vaſt Superiority of *Engliſh* Members in Parliament? No, the Sovereign was obliged *to keep his* Scots *Parliaments within the Bounds of* Scotland. Were they loath to part with the Perſon of their King and the warm Influences of a *Scottiſh* Court? Their King was obliged to viſit them from time to time, at leaſt to come in Perſon to the Centre of their Country in order to his Coronation; and ſince they were ſtill to have *their own Parliaments, Courts of Juſtice, Officers of State, as Chancellors, Chamberlain's*, &c. 'tis plain that they were not to be entirely deprived of the Influences of a *Scottiſh* Court; and what they wanted in this reſpect was abundantly compenſated by their Freedom of Trade, and their being to all Intents and Purpoſes ſecured from the Invaſions, Devaſtations,

vaſtations, Depredations, &c. themſelves had ſo often both ſeen and felt. Did they apprehend Appeals from their own Judges to Foreigners, or did they fear leſt their Perſons ſhould be dragged to foreign Goals, or tryed by Laws unknown, or ſuch as being impoſed by a rigorous Conqueror upon a People unwillingly ſubjected, might be thought inhumane and arbitrary? *The Laws and Statutes of the good Kings of* Scotland were ſubject to no Alterations, and *no* Scotſman *was to be called out of the Kingdom of* Scotland, *in order to be tryed by any Judicatory whatſoever.* It was not to be ſuppoſed but that the King and Kingdom of *England*, by Reaſon of their great Power, Commerce and *French* Territories, would be frequently engaged in Quarrels and Wars with foreign States, either to preſerve a Balance of Power in *Europe*, or to humble and depreſs a riſing or incroaching Neighbour, or to maintain their Dominion over the Sea, or to extend the Limits of their Empire on the Continent; and perhaps the *Scots* were apprehenſive, leſt their Men ſhould be preſt from their Houſes and Employments to ſerve in *Engliſh* Fleets and *Engliſh* Armies, leſt their Coaſts ſhould be inſulted, and Commerce interrupted by the Enemies of *England*, leſt they ſhould be obliged to quarrel with Nations that did not, could not injure them, to run all the Hazards of War, and reap none of the Advantages of Peace, to fight and win Battles deſtructive to the real Intereſt, and noways ſubſervient to the Glory of their Country; in a word, to toil, and ſtarve, and die, for no other End but to forward the Deſigns of a Party in *England*, or to gratifie the Humour and Ambition of an *Engliſh* King. Very far from it; The *Scots* were not *to ſerve in the Wars otherwiſe than was uſual before*, and they had never been uſed to take Arms but in their own Defence, or, which is the ſame thing, the Liberties of the Kingdom, and Rights of the King of *Scotland.* Perhaps they dreaded leſt new Taxations and unheard of Impoſitions ſhould be laid upon their Lands, Houſes, Employments, &c. and leſt they ſhould thereby be deprived, if not of the Neceſſaries, at leaſt of the Conveniencies of Life. *No Taxes were to be impoſed upon them, but ſuch as had been paid to and exacted by the beſt of their Kings.* But *Engliſhmen* might have been ſent down upon them with Commiſſion to inſpect, regulate and overſee the Management of all their Affairs domeſtick and publick, they might have intruded themſelves into all the honourable and lucrative Poſts of the Nation, at leaſt all Tranſactions might have been influenced by *Engliſh* Counſel, and the *Scots* Miniſtry made ſubſervient to the Views and Politicks of that of *England.* Not at all; *For all Dignities and Places of Profit were to be entruſted with none but* Scotſmen; and to prevent *Engliſh* Influence, *the Sovereign was always to have by him a Council of* Scots *Peers and Lords for the Direction of* Scots *Affairs.* But were no Subjects of *Scotland*, no Man nor no Order of Men in the Nation to be degraded from the Honours, Dignities and Privi-

leges annexed to their Families,or Offices Civil and Military? No indeed; *All Prelates, Earls, Barons, Freeholders*,&c. *were to be maintained in their reſpective Privileges and Rights; all Grants made by former Kings were to be ratified*; and becauſe the Eſtates of a great many Noblemen and Gentlemen,both *Scots* and *Engliſh*, had been for their adhering to the Lord *Baliol* forfeited and beſtowed upon others, *the King of* England *was to compenſate them with Equivalents in* England. *The Church of* Scotland *was alſo ſecured*; and tho her Doctrine and Government was then the very ſame with thoſe of the Church of *England*, yet the former was in all Reſpects declared free and independent on any but the See of *Rome*, to which the latter was equally ſubject, *and no Eccleſiaſtical Dignities nor Revenues were to be conferred upon any but* Scotſmen. But ſtill all theſe Conceſſions might have been in after-times recalled or invaded, and what Guarantee had the *Scots* for Performance on the part of the *Engliſh*? A very good one; nay many, their own free *and independing Parliament*, *the Coronation Oath* of the King, to whom all the Articles of the Treaty, or *Pacta conventa were to be read publickly in Preſence of the People*; and ſince this was plainly *a mutual Contract*, ſuch as the like could never be produced in any Hereditary Monarchy whatſoever, a great many will certainly be of Opinion that the People were thereby impowered, in caſe of non-performance on the part of the Sovereign, to crave Redreſs, if not otherwiſe to be obtained, with their Swords in their Hands. This was to have been the *Fundamental Charter*, *the Magna Charta* of the *Scottiſh* Nation, a Charter, which was not, like that of the *Engliſh*, extorted by Rebellion and Force, but was frankly and willingly granted after mature Deliberation and a fair Treaty: Nay, the *Scots* were entreated, and no doubt would have been bribed to accept of it. But they rejected and ſcorned the Offer. In the Name of Goodneſs! for what? I ſee no Reaſon for this but one, the Monarchy was hereditary, Prince *Robert* the Lord High Steward of *Scotland*, was the apparent Heir; and to go about to defraud him of his Birth-right, was to overturn all Laws divine and humane, to give Riſe to a new Competition for the Crown, and to entail a new War upon both Nations, laſting as Prince *Robert* and his Race. For it was not to be ſuppoſed, that he, his Children, or Children's Children would tamely look on, and ſee a Foreigner upon a Throne that belonged to them: Tho excluded by a lawful King, and by conſequence a lawful Parliament, yet they had not failed to plead their previous and inherent Right; nor could they have miſſed of Support and Aſſiſtance both at Home and Abroad. But had the Maxims of *Buchanan* and others obtained in thoſe Days, the King and Parliament would have made no Scruple to paſs the Act in Defiance both of their Right and Reſentment. *France*, the only State from whence the Pretenders could expect Support, was humbled to ſome Purpoſe; *England* on the contrary triumphed, and

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thoſe that are unacquainted with the Viciſſitudes of humane Affairs, would be apprehenſive of no Alterations in that reſpect. As for the legal and conſcientious Part, the World would have been told, that Kings are made for the People, that the People, eſpecially when authorized by their King, may alter the Conſtitution at Pleaſure; that the *Scots* Nation were accuſtomed of old to advance to the Throne, not the neareſt in Blood, but the Perſon they thought fitteſt to govern, provided that Perſon was alſo of the Blood Royal, no Matter in what Degree; that the preſent King of *England*, ſince lineally deſcended of *Mathilda* the Daughter of a *Scots* King, was undoubtedly of the Blood Royal of *Scotland*; that both the *Baliols* whoſe Title was by many thought as good as that of the *Bruce*, had reſigned in his Favour; that the *Bruce* had now done the ſame; that Sovereigns, as private Perſons, may abdicate and reſign their own Birth-right and that of their Poſterity, much more that of their Heirs apparent. And who can doubt, but that, if theſe and the like Maxims had been known to, or followed by our Anceſtors, we ſhould have been united with *England* on this Occaſion, that is, above 400 Years ago? But as our Anceſtors had no ſuch Principles, ſo Providence would not permit, either that the Royal Race of *Stewarts* ſhould be deprived of the Right of their Blood, or that we ſhould be fruſtrated of their gentle Sway. Yet I am of Opinion, that the King and Parliament agreed in this, That, if it ſhould pleaſe God to bleſs him with Children, they would go jointly into the Meaſures propoſed: For I find that the next Year 1364, he and Queen *Margaret* his Wife (*a*) went to *England*, in order to viſit the Shrines of our Bleſſed A. D. 1364. Lady at *Walſingham*, and of St. *Thomas* of *Canterbury*. They made the ſame Journey in the Year (*b*) 1366, and (*c*) 1367, and their Example was followed by a great many of the Clergy, Nobility and Gentry (*d*) of the Nation; I believe with Deſign to implore the Goodneſs of God by the Interceſſion of thoſe Saints, and to obtain amongſt other Bleſſings, that of being favoured with Children: For it was believed in thoſe Days, and is ſtill by the Churches of *Rome* and *Greece*, that to pay a religious, but ſubordinate Reſpect to the Servants of God, was to honour their Maſter; and that tho *Jeſus Chriſt* is the only Mediator in a proper Senſe betwixt God and Man; that is, (to ſpeak their Language) tho his Merits can only atone for the Offences of fallen Mankind, yet, that, as the Angels in Heaven rejoice at the Repentance of Sinners, ſo their Prayers, and thoſe of the glorified Saints or Church triumphant, put up to the Throne of God, in Conjunction with thoſe of the Church militant, do more powerfully move the divine Bounty, and often obtain ſuch Favours to Mortals, as perhaps would otherwiſe be denied to their Unworthineſs. This Doctrine is by Proteſtants rejected as ſuperſtitious and vain, but it obtained in the Days of King

(*a*) Fœd. Angl. Tom. 6. p. 451. (*b*) Ib. p. 497. (*c*) Ib. p. 582. (*d*) Ib. p. 428.

David; and we muſt believe at leaſt that he meant well, tho, if I have gueſſed right the Deſign of his Pilgrimages or Devotions in this Reſpect, 'tis certain that they were not ſucceſsful; for the Queen did not conceive, and therefore he was obliged to lay the Thoughts of the former Treaty entirely aſide, and to think upon ſome new Method of freeing his Hoſtages, and of retrieving his Credit. With this View he thought fit to ſet another Treaty on Foot, the rather becauſe the ten Years Truce concluded at *Berwick* was drawing to an end. Accordingly he named (*a*) *William* Biſhop of St. *Andrews*, Sir *Robert Erskine*, Mr. *Walter Wardlaw* and Mr. *Gilbert Armſtrong* his Plenipotentiaries, and ſent them to *London* towards the end of the Year 1364. They ſtaid in that City moſt part of the Winter, and did not come to a Concluſion with the Plenipotentiaries of *England* till the 20th of *May* 1365
A.D. 1365. (*b*), when it was agreed,

I. That, in regard the King of *Scotland* and his Subjects had failed in their annual Payments, they ſhould now, to avoid the Penalties thereby incurred, become Debitors to the King of *England* for the Sum of 100000 *Lib. ſterl.* to be paid by equal Proportions within the Space of 25 Years, that is to ſay, 6000 Merks became payable at the Feaſt of *Candlemaſs* next to come 1366, 6000 Merks more at *Candlemaſs* 1367, and ſo on.

II. That, during the ſaid Space of 25 Years, there ſhould be a Truce between the two Kingdoms, unleſs either or both of the Kings ſhould rather chuſe to renew the War: But that however,

III. The Truce concluded at *Berwick* on the 3d of *October* 1357, ſhould be prolonged till *Candlemaſs* next, and from thence till *Candlemaſs* 1370, that is, four Years longer; during which Time Means ſhould be uſed towards bringing about a final Peace: But if that could not be effected,

IV. The Truce might nevertheleſs be continued, conform to the Terms of the 1ſt and ſecond Article: But if the King of *England* ſhall rather chuſe to renew the War, in that Caſe the preſent Obligation given to him for the Sum of 100000 *Lib.* ſhall become null and void, and what Money ſhall be paid by the King of *Scotland* during the foreſaid four Years Truce, ſhall be deduced out of the Sum of 80000 Merks yet due as the Remainder of his Ranſom. Beſides, the ſaid King of *England* ſhall give warning to the ſaid King of *Scotland* of his Deſign of renewing the War half a Year before he begins it.

V. That, if the King of *Scotland* ſhall, after the four Years Truce is expired, think fit to renew the War, he ſhall in the ſame Manner pre-advertiſe the King of *England*, and be nevertheleſs obliged, as before, to pay the whole Sum of 100000 *Lib.*

This Treaty was ratified by King *David* (*c*) at *Edinburgh*, on the 12th, and by King *Edward* (*d*) at *Windſor* on the 20th of *June*. I ſhall

(*a*) Ib. p. 451, (*b*) Ib. p. 464, 465. (*c*) Ib. p. 469, 470. (*d*) Ib. p. 470.

ſhall make no Reflexions upon it but one, and it is this. The *Scots* Nation muſt be owned to have had in thoſe Days an invincible Attachment to the Hereditary Rights of Monarchy, ſince rather than exclude the apparent Heir, tho in Favour of another Prince of the Blood, they not only rejected the Offers made to them of 80000 Merks *Sterl.* together with ſeveral Counties and Towns, both within and without the Kingdom, but alſo engaged themſelves in a new Debt of 100000 *Lib.* for which they got no manner of Equivalent but in the Pleaſure of doing their Duty, and of being ſubject to none but their Native Lords. Who would have expected ſo much Diſintereſtedneſs from a People ſo wretchedly covetous, as of late we have been called? Or after this, who will ſay that our Anceſtors have not been as Loyal as Brave? And ſince they were neither to be bought by Gold, nor conquered by Force, (a Force infinitely ſuperior to their own) Is it not plain that they were invincible?

After this King *David* was very punctual in his annual Payments, as appears from Mr. *Rymer*'s Collections, and the four Years Truce was religiouſly obſerved. But in 1369, a new War broke out between *France* and *England*, which upon many Accounts alarmed King *Edward*. He had Advice that the *Scots* were preparing to ſide with their ancient Allies. This vexed him; for, ſays Mr. *Barnes* (*a*), he dreaded the *Scots* more than the *French*, *not only becauſe they were a more obſtinate and implacable People*, (a Truth he had learned from at leaſt fourty Years Experience) *but alſo becauſe they were his near Neighbours, and could injure him more eaſily, and eſcape Revenge more ſecurely.* He therefore ſent conſiderable Numbers of Men at Arms, Archers and others to the Frontiers of *Scotland*, and reinforced the Garriſons of *Newcaſtle*, *Carliſle*, *Berwick*, *Roxburgh*, &c. But King *David* had not been able to make ſo ſpeedy Payments as the King of *France*, who, having recovered moſt, if not all the *French* Hoſtages out of *England*, wanted but a Pretence to endeavour likewiſe the Recovery of his diſmembred Provinces and Towns: And to me 'tis a Wonder, that he did not now make good the Treaty himſelf had agreed to when *Dauphin*, I mean, that, to engage King *David* in his Quarrel, he did not pay the Remainder of his Ranſom. But it may be that King *David* become wary by reaſon of the ſeveral croſs Accidents of his Life, and perhaps diſſatisfied with the former Diſappointment he had received from *France*, was not fond of a Rupture with *England* upon that Occaſion: For I find, that this Year on the 20th of *July* (*b*), he obliged himſelf to keep the Truce agreed to with his *dear Brother* King *Edward* during the Space of fourteen Years, and to pay the Sum of 56000 Merks *Sterl.* yet due for his Ranſom, whereof 4000 were payable every Year at *Candlemaſs*, ſo that by this Means the Kingdom was eaſed of the Advance of 2000 A.D. 1369.

(*a*) p. 740, (*b*) Fœd. Angl. Tom. 6. p. 633.

Merks in the Year; yet was not in a Condition to be punctual even in the Payment of but 4000 Merks, as inconſiderable a Sum as
A.D. 1370. it now ſeems. A Proof of this is, that the very next Year 1370, King *David* was neceſſitated to go to *London*, where he had a perſonal Treaty with King *Edward*, and obtained as a Favour (*a*), that the annual Payments might be deferred till the Feaſt of St. *John Baptiſt*, that is, the 24th of *June*, inſtead of *Candlemaſs* the Term formerly appointed. This was the laſt memorable Action of King *David's* Life; and I can give no good Reaſon why he was at ſo much Pains, either to avoid a Breach with King *Edward*, or to procure thoſe inconſiderable Eaſes with Reference to his Ranſom, ſave that he is ſaid (*b*) to have had a very chargeable Deſign in his View, which was to viſit the Sepulchre of our Lord at *Jeruſalem*, and to ſignalize his Zeal in Defence of the oppreſſed *Chriſtians* in thoſe Parts. But he was no ſooner returned from *London*, after having taken ſuch Meaſures as were likely to facilitate that Project, but he was taken with a Fever, and died on the 7th Day of *May* in his Caſtle of *Edinburgh* in the 39th Year of his Reign, and the 47th of his Age. So ſays *Buchanan*, and ſome other *Scots* Authors, but they are certainly miſtaken both as to the Year of his Reign and the Day of his Death. For I find two Writs among Mr. *Rymer's* Collections under his own Seal, the one dated at *Edinburgh* (*c*) the 20th of *July* 1369, the other at *London* (*d*) the 4th of *June* 1370, both which were drawn up in the *Quarantiſme*, that is, the 40th Year of his Reign, Nay, from our own Records, examined and cited by the learned Editors of *Hawthornden's* Works *Anno* 1711 (*e*), it appears, that at leaſt twenty Charters have been granted by him after the Day on which they ſay he died, *viz.* one dated the 9th, another the 15th, a third and a fourth on the 18th of *September*: One the 18th, three the 22d, three the 23d, one the 24th, and one the 27th of *October*: Two the firſt, and one the 9th of *November*: One on the 31ſt of *December*: Two on the 26th, and one on the 29th of *January* 1370, (that is, according to our preſent Computation, 1371:) And all theſe bear expreſly that they were granted in the 41ſt Year of his Reign. Beſides, we learn from a better Voucher (*f*) than either *Boethius* or *Buchanan*, that he died *die Feſto Cathedræ Sti. Petri*, which, as the Editors above-mentioned very well obſerve from the Date of the Charter laſt cited, cannot be underſtood of that at *Rome*, *i. e.* the 18 of *January*, but of that at *Antioch*, *i. e.* the 22d of *February*.

He was in all Reſpects a very accompliſhed, (tho, upon the main, unfortunate) Prince; but his Misfortunes, as in moſt others, were not to be attributed either to any Failures of his Judgment, or Caprices of his Humour, but to the powerful Aſcendant and devouring Ambition of a neighbouring Prince his own Brother-in-law,

(*a*) Ib. p. 655. (*b*) Holinſhed, p. 355. Boet. Fol. 327. (*c*) Fœd. Angl. Tom. 6. p. 633. (*d*) Ib. p. 655. (*e*) See the Introduction, p. 37. (*f*) Extract. e Chron. Scot.

law, who, in Defiance of Decency, Honour, Oaths and Treaties, the moſt ſolemn and authentick in the World, attacked him almoſt in his Infancy, firſt by clandeſtine Artifices, and ſoon after with open and avowed Violence. But he was never wanting to himſelf or to his Subjects. When an Exile, and but a Boy, he commanded Armies and Fleets; and when a Priſoner, tho he much longed for his Freedom, yet never yielded to mean or diſhonourable Terms. He was incomparably brave, witneſs his Behaviour at the Battle of *Durham*; and as he liked the Art of War to which he had been ſo early bred, ſo he very well underſtood the exerciſe of Arms. This he ſhewed when a Priſoner at *London*; for even then he aſſiſted at thoſe noble Juſts and Tournaments ſo much in Faſhion at the Time: And Hiſtory has taken notice (*a*) that at one of thoſe Martial Sports kept at *Windſor*, he had an Harneſs for his Horſe made of blue Velvet, on which was embroidered a Pale of red Velvet, and beneath a white Roſe, after the then Cuſtom, which required that one Knight ſhould be diſtinguiſhed from another, as well by the Harneſs of his Horſe, as by his own Shield and Surcoat. *Engliſh* Authors (*b*) have alſo obſerved, that during his Captivity in *England*, having been much part of the Time confined in *Nottingham* Caſtle, where ſome Years before, *Mortimer* the chief Author of the Depoſition and Murder of King *Edward* II. had been apprehended, he left behind him in a Vault the whole Story of our Saviour's Paſſion, curiouſly engraven on a Rock with his own Hands. For this, ſays one, that Caſtle became as famous, as formerly it had been for *Mortimer*'s Hole. The Hardſhips of his Youth, and the Education he got in *France*, were in no Senſe prejudicial to him; for he was not only taught at that polite Court the more modiſh Arts and Rules of Courteſie, Gallantry and Converſation, ſo neceſſary even to Princes, but what was more valuable, the Knowledge of Men, and Means of winning them over, and of faſtning them to their Duty: For he no ſooner returned from thence, but he wiſely and generouſly rewarded the Services done him in his Abſence. Nay, he was ſo religiouſly exact in that point of Gratitude and Prudence, that he inſtantly called for a Catalogue of all ſuch as had ſuffered, or acted any Thing laudable. And this, I take it, was one of the Reaſons, why all Ranks of Men in the Kingdom ſo faithfully adhered to him in his After-Calamities. Had he at firſt depended upon the dangerous Maxim, That a Sovereign's Friends will, for the very ſake of Loyalty, be ſuch whether rewarded or no, I much doubt if upon a ſecond Tryal he had found them ſo ready to throw away their Lives, and mortgage their Fortunes, as they did for his Service. But to do them Juſtice, his Subjects were in all Reſpects the beſt in the World at that Time: They fought, and ſtarved, and died for him, even when an Exile and Priſoner: And when their

(*a*) See Barnes, p. 114. (*b*) Ib. p. 529.

indefatigable Labours and open Purſes had effected his double Reſtoration, they ſtood upon no Terms of Government with him, asked no new Privileges, nor offered in the leaſt to limit or incroach upon the Prerogative. Such Grievances as they could complain of were repreſented to him with all due Submiſſion and Reſpect. Witneſs all his Laws, but more particularly one, by which, at *The Requeſt of the three Eſtates*, he commands, that henceforth the Soldiers, as they go to his Army, ſhall not moleſt their Landlords, nor take any thing from the People without paying for it. A Stile very different from the more modern one uſed in the like Acts of Parliament. Yet I read of ſome Commotions in the Highlands and neighbouring Iſles, by which the End of his Reign was diſturbed, and of ſome tragical Feuds among his Nobility. But that is no Matter of Wonder; *John* of the *Iſles* was his avowed Enemy, and he was protected even by Treaty, as I have already told, and ſhall afterwards. As for the Feuds of the Nobility, the Wars and Looſneſs of the Times gave Riſe to them; nor were they more frequent in *Scotland* than in the moſt civilized Countries of *Europe*, particularly *France*, where they raged almoſt to the Deſtruction of that Monarchy. However, King *David* did all that was proper to leſſen thoſe Evils, he could not root out; and it was hard to tell whether his Clemency or Juſtice was moſt conſpicuous: And ſince (as *Buchanan* has it) he was endued *with all ſorts of Vertue*, we cannot doubt of his Piety. His frequent Pilgrimages to holy Places, and his Deſign of going to *Jeruſalem*, ſhew the Diſpoſitions of his Mind in that reſpect. His Failings were certainly few, ſince we hear ſo little of them. I can gather but Three or Four from various Authors *Scots* and *Engliſh*. The laſt ſay, that, in order to bring about his more ſpeedy Delivery from Confinement, he was willing to hold his Crown by Homage of King *Edward*. I can give no Credit to that Story, and I have given my Reaſons for it already. The *Scots* accuſe him of Wilfulneſs and Obſtinacy, with reference to his Wars with *England* & the Battle of *Durham*, which they ſay he fought *mal a propos*, and contrary to the Advice of his Council of War. It may be ſo with reſpect to the Battle, but that he was neceſſarily engaged in the War, I think I have demonſtrated. They add, that he laid the whole Blame of his Defeat and Captivity upon his Nephew the Lord High Steward, who, he thought, withdrew from the Field of Battle with a Deſign to betray him into the Hands of his Enemies, and by Conſequence to govern or reign in his Room; that therefore upon his Return from *England* he carried his Jealouſy and Reſentment ſo far, as to exclude that Prince from the Right of Succeſſion, and to entail the Crown upon the Maſter of *Sutherland*, who was alſo his Nephew by his younger Siſter. What Truth there may be in all this I ſhall afterwards enquire. *Scots* Authors make alſo the Conditions of his Delivery more diſhonourable

able than they really were; for they ſay, that he obliged himſelf, and was as good as his Word, to demoliſh the Caſtles of *Dalſwinton*, *Drumfreis*, *Morton* and *Duriſdere*, becauſe Eyeſores, forſooth, to the King of *England*. I am ſure the Treaty of *Berwick* required no ſuch thing, and I cannot credit Authors when contradicted by Records undoubtedly authentick. If he did demoliſh theſe Caſtles, he has had his own Reaſons which have not been tranſmitted to Poſterity. Nor is it very probable that he did it, ſince he was more inclinable to build new Forts, than to raze old ones: For it is owned, that he repaired a great many, and added a large Structure to the Caſtle of *Edinburgh*, called, from his Name, *David*'s Tower. In fine, they ſay, that being diſappointed of the Hopes of Children by his ſecond Wife *Margaret* (*a*), he put her away diſgracefully, and that ſhe carried her Complaints to the Pope at *Avignon*, who, after a formal Proceſs, appointed the King her Husband to take her back to his Bed upon Pain of Excommunication and Interdiction. That he did put her away, and that he was in this much more cruel and unconſcientious than one of his Succeſſors, the late King *Charles*, who, tho by the Parliament of *England* ſollicited to do the like for much the ſame Reaſons, is certain. 'Tis no leſs true that ſhe went to *Avignon*, and made her Complaints to the Pope, who received her kindly, and treated her as Queen of *Scotland*, honourably: But that ſhe was put away either three Months, as ſome write, or, as others, a Year after her Marriage, is falſe: For, as I have already hinted, ſhe went, or deſigned to go with the King in Pilgrimage to the moſt famous Places for Holineſs in *England*, in the Years (*b*) 1364, (*c*) 1366, and (*d*) 1367. So that they muſt be allowed to have lived a conſiderable time together in good Correſpondence. Neither is it true, that her Death, which happened, ſay ſome of them, as ſhe was returning Home, prevented the Diſorders that were dreaded from the Pope's Cenſures: For ſhe out-lived her Husband ſeveral Years, as appears from authentick Records (*e*); by which we know that ſhe was at *Avignon* in *June* 1372, and that (*f*) in *March* 1374, a ſafe Conduct or Permiſſion was granted to her by King *Edward* to come to, and reſide in *England* during the Space of two Years: So that we cannot tell where nor when ſhe died. But after all, it would ſeem that ſhe has been maletreated: And this is the only real Stain that, I think, can be affixed to the Memory of King *David*. Mr. *Johnſton* has hit his Character pretty right in the following *Elegiacks*.

Stirps magni generoſa Ducis, ſtirps inclyta Bruſſi,
Te quoque Sors, Patris nec ſatiata malis,

(*a*) Holinſhed, p. 355 Lelly, p 244. Boet. Fol. 327. (*b*) Fœd. Angl. Tom. 6. p. 435. (*c*) p. 497. (*d*) Ib. p. 582 (*e*) Ib. p. 727. (*f*) Ib. Tom. 7. p. 35.

Turbine torvâ quatit. Primis nam protinus annis
Imperii, amiſſis faſcibus exul agis.
Heu quales ſubiere vices! Heu quanta malorum
Agmina! quo fera ſors pergat, an ulterius?
Exul bis, totieſque Redux fera prælia tentat
Fortis, at infelix: Cætera magnus erat.
Aſt tandem Fortuna malis laſſata, quieto
Imperio, placida dat quoque morte frui.

And again,

Exilia exiliis mihi Sors cumulavit acerbis,
Atque novis ſubeunt aucta pericla malis.
Ecquis inhumani ferat hæc ludibria fati?
Nempe ego Bruſſiada *qui genitore ſatus.*

THE

Life of Robert II.

The Hundredth King of SCOTLAND.

IN the Life of *Alexander* Lord High Steward of *Scotland*, the great Grandfather of the Heroe (for he very well deſerves that Appellation,) whoſe Life I am now to write, I have given a diſtinct Account of the Royal Origin and great Merits of the Houſe of *Stewart*; a Houſe in moſt Reſpects equal, and in others ſuperior to any in the World. I could eaſily make good this Aſſertion, by comparing the Antiquity, Alliances, Deſcents, Actions, Employments, Preferments, Vertues and good Fortune of the *Stewarts*, with thoſe of the *Tudors*, *Plantagenets*, and other Princely Families in *Europe* and elſewhere: But Compariſons are invidious, and I do not incline to give Offence.

James Lord High Steward of *Scotland*, his Birth,

The juſt now mentioned *Alexander* Lord High Steward of *Scotland* was ſucceeded (*a*) in his Eſtate, Employments and great Qualifications by his eldeſt Son *James*, who probably was born about the Year 1243. How, or where he paſt the firſt fourty Years of

(*a*) Mr. Simſon's Hiſt. of the Stewarts, p. 74, 75. &c. Mr. Crawfurd's Hiſt. of the Stewarts, p. 9, 10, &c. See the firſt Vol. Book. 3.

of his Age, is uncertain; but I am of Opinion that he went along with the Earls of *Carrick*, *Athole*, &c. to the Holy War: For among the *Scots* that attended St. *Lewis* in his ſecond Expedition, *Anno* 1270, our Hiſtorians mention one *John* (they ſhould have ſaid *James*) *Stewart*, whoſe Chriſtian Name they erroneouſly miſtake, as appears from all the Charters in which he is either a Witneſs or Principal. • However, we certainly know that this *James* made a very conſiderable Figure in all the Tranſactions of thoſe times. He was one of thoſe (*a*) that obliged themſelves to acknowledge *Margaret* the Maiden of *Norway* as lawful Queen of *Scotland*, in caſe *Alexander* III. her Grandfather ſhould die without Heirs Male of his Body. Upon the Death of that Prince he was made one of the ſix Guardians of the Kingdom, but upon the Diviſions that aroſe among them, he, his Brother Sir *John*, his Uncles *Walter* Earl of *Menteith*, *John* and *Alexander*; *Robert Bruce* Lord of *Annandale* and his two Sons, *Robert* Earl of *Carrick*, and *Bernard Bruce*; *Patrick* Earl of *Dumbar*, and his three Sons, *Patrick*, *John* and *Alexander*; *Eneguſius* Son of *Donewald*, and *Alexander* his Son on the one Part, entred into a Bond of Aſſociation with *Gilbert Clare* Earl of *Gloceſter*, and *Richard Burgh* Earl of *Ulſter* on the other, and obliged themſelves to adhere to one another upon all Occaſions, and againſt all Perſons, ſaving the Allegiance due by the two laſt to the King of *England*, and by the former fourteen, to whoever ſhould by right of Blood ſucceed in the Throne of *Scotland* to the lately deceaſed King *Alexander*. This Bond is dated at *Turnbyrie* in *Carrick* the 20th of *September* 1286, and ſhews what I have elſewhere hinted at, *viz.* That the Title of Queen *Margaret* was never fairly acquieſced in by the *Brucian* Party, who tho, in Complaiſance to King *Alexander*, they had recognized it, yet obſtructed her coming to *Scotland* with all their Power, and we ſee, make it ſtill a Doubt who was the Perſon that ought to ſucceed by Right of Blood. I could bring a great many more Proofs to the ſame Purpoſe. But the contrary Faction, being ſupported by the joint Intereſt and Power of the Kings of *England* and *Norway*, at length prevailed, in ſo much that in 1289, it was agreed that the Queen ſhould be ſent for to *Norway*, and in 1290, that ſhe ſhould be married upon certain Conditions to the Eldeſt Son of the King of *England*. But ſhe died by the Way; and then aroſe the grand Competition, which I have related in the firſt Volume of this Work; and then, as before, the Lord High Steward ſided openly with, nay pleaded for the better Right of the *Bruce* in Preſence of King *Edward* at *Berwick* 1292. But he was, (as moſt others,) obliged to ſubmit to the then Fate of the Nation; and tho he had ſo vigorouſly oppoſed the Lord *Baliol*, yet he was by him entruſted with the Government of the Caſtle of *Roxburgh*, which he held out in 1296 againſt the *Brucians*, as well as *Engliſh*. For, ſince now both the *Bruces* and the Earl of

Actions.

(*a*) Fœd. Angl. Tom. 2. p. 266.

Dumbar his former Aſſociates had joined the Enemy of their common Country, he could no longer conſider them as his Allies. Yet he did not entirely give up Friendſhip with them: For I find that the next Year 1297, when the incomparable Sir *William Wallace* had taken the Fields, in order to free the Kingdom from the Yoke of foreign Uſurpation, he not only joined him with his own *Brandans*, but alſo prevailed with the *Bruce* to come over. But this Project failed, and both he and the *Bruce* were again conſtrained to take an Oath of Fidelity to the prevailing Power. Being obliged by this Means to ly by for a Time, and to keep at Home, he was nevertheleſs as uſeful to thoſe that kept the Fields as if he had been one of their Number: For the next Campaign 1298, he ordered or permitted his *Brandans*, amounting to the Number of 1200 Men, to take Arms under the Conduct of Sir *John Stewart* of *Bonkil* his Brother: And had not that brave Gentleman contended with Sir *William Wallace* about commanding the Van, as fiercely before, as he afterwards fought at the Battle of *Falkirk*; or had not both he and Sir *William* been in the very Heat of Action deſerted by Sir *John Cumin* younger of *Badenach*, 'tis not to be doubted but that even King *Edward* III. and with him 100000 Men had been foiled by leſs than a third part of their Numbers. However, tho Sir *John* was killed, and the Battle loſt, yet did not King *Edward* reap any great Advantage from his Victory. The noble Retreat made by Sir *William Wallace*, and the want of Proviſions in his own Army hindred him from penetrating into the Country, as he deſigned: And after this, the *Scots*, being more united among themſelves, ſtrugled hard and long for their dying Liberty. Nor was the Lord High Steward wanting to them or to himſelf; for he was one of the Commiſſioners that went over to *France* in 1302, in order to ſeek Aid and Aſſiſtance from King *Philip*. But no great Aid could be had, and *Scotland* was for want of it, in 1304 more than ever reduced; in which Condition ſhe continued till 1306, when King *Robert Bruce* dared to attempt her Relief. Whether the Lord High Steward was by this Time returned from *France*, or if he was an Exile in *England*, or if he lurked at Home, I know not; neither can I tell what Share he had in that wonderful Revolution: But that he liked it, I cannot doubt, ſince (as I have ſhewed) he had ever thought that the *Bruce*'s Title was better than that of the Lord *Baliol*, and had for that Reaſon been from the Beginning of the Competition in his Intereſt; tho now he was old, and by Reaſon of the innumerable Fatigues formerly ſuſtained, infirm, I am apt to think that he ſupported the honeſt Cauſe more by his Advice, his Money, Vaſſals and Friends, than by conſtant Attendance upon the Perſon of his Sovereign. But he had the Pleaſure to live till he ſaw him pretty well ſettled upon the Throne, ſince in the 1309 he was among thoſe who wrote ſo much to the King of *France* in the Name of the whole Commu-

nity

nity of *Scotland*: And this was the laſt publick Act in which I find him concerned. He died the 16th of *July* following, in the 4th Year of the Reign of King *Robert* I. and the 66th of his own Age, and was with his Anceſtors interred in the Abbey Church of *Paiſley* before the high Altar. Mr. *Simſon*, who before me had drawn moſt of theſe Particulars from Mr. *Rymer* and Mr. *Pryn*'s Collections, has left us this Character of him; "He lived, ſays he, in "the worſt of Times, and had more frequent and trying Occa- "ſions to be verſed in civil and military Affairs, than any of his "Anceſtors, to whom he was not inferior. His ſhifting Sides and "Compliances were Practices flowing from unhappy Circumſtan- "ces, and proceeded from ſo much Force and Neceſſity, that they "pleaded more for Pity than Reproach." I ſhall only add, that he, as moſt of the Nation at that time, was conquered by the Sword; and what Nation in the World was ever ſubdued by Force, that did not ſwear Fealty, and pay Homage to the Victors? None, I believe, but the *Scottiſh*; for I have ſhewed (*a*) what no former Author knew, *viz.* That when in the loweſt Condition they were ever reduced to, there was not only a Party, but an Army of Non-jurors among them: But theſe were for the moſt part Men of no great Fortunes, the Generality of the Nobility chuſe rather to comply, than to forfeit their great Eſtates, and to loſe their Lives (as they thought) to no purpoſe. The Lord High Steward was one of thoſe, but cannot be ſaid to have ſhifted Sides, ſince, tho he had the Example of a great many others, particularly of the Earl of *Dumbar* his Brother-in-law, and even of the *Bruces* his former Allies and intimate Friends, yet he never acted againſt, but always in the Defence of his Country: He ſcorned to countenance the Uſurpation ſo far as to take either a Poſt or Employment under it. And what Poſt or Employment might he not have got? On the contrary, when he himſelf was forced to ly by, he ſent his Brother and an Army of Men to the Aſſiſtance of the Loyaliſts: And 'tis plain, that had he not been hearty in the Cauſe, Sir *William Wallace* had never made ſuch a Figure as he did, nor had the ſucceeding Regency kept up ſo long the Face of a Government. His Lady was the Daughter of *Patrick* Earl of *Dumbar*, the firſt of that Family that quitted the Title of *Dumbar*, and aſſumed that of *March*: By her he had three Sons, *Walter*, *John* and *James*, and one Daughter *Egidia*, married with *Alexander Meynis*, to both whom King *Robert* I. granted by Charter the Barony of *Duriſdere*. *John* was killed at the Battle of *Dundalk* in *Ireland*, *Anno* 1318, and *James* was Anceſtor of the *Stewarts* of *Roſſyth* in *Fife*.

Death.

Character.

And Iſſue.

Walter, the Fourth of that Name, and by uninterrupted Deſcent the Eighth Hereditary Lord High Steward of *Scotland*, was born in the Year 1293, the firſt of the Reign of *John Baliol*; but

Walter the fourth Lord High Steward of *Scotland* his Birth

(*a*) Vol. I. p. 498, 515.

History has taken no Notice of him till the Year 1314, when, tho as yet but about 20 Years old, he brought a noble Body of Retainers to the Royal Camp at *Bannockburn*, where, after having been Knighted, as the Fashion then was, together with his Kinsman Sir *James Douglas*, they had the joint Honour to command the Fourth Battalion of the *Scots* Army, and were eminently Instrumental in the gaining of that memorable Battle. The King followed his Blow, invaded and laid waste most part of the North of *England*, during which time, the Lord High Steward superintended the West Marches, and with a small but choise Number of Troops, oftentimes past the Borders, and cut out so much Work for the Enemy in those Parts, that they neither durst go to the Assistance of their distressed Friends, nor attempt a Diversion, by making Inroads into *Scotland*. He did yet more, for by means of his secret Agents he came to know the treacherous Practices of not a few *Scots* in the *English* Interest, and for his signal Services in that respect, obtained a Grant of the Barony of *Kilbride* and Lands of *Ferm* in the Shire of *Lanrick*. A great many of these Traitors were forfeited, and their Lands (*a*) given to honest Men. One of the happy Consequences of the Battle of *Bannockburn*, was the Relief of several illustrious Prisoners that had been detained in *England* since the Battle of *Methwen*; and among these, the Lady *Marjory Bruce* at that Time the King's only Daughter. The Lord High Steward was appointed to receive them upon the Borders, which he did, and from thence being attended by a gallant Band of the young Nobility and Gentry, he conducted them to Court, which was then at *Stirling*. What Influence this Interview might have had over his Affections, and those of the Princess, I know not; but the next Year they were with Consent of Parliament, solemnly married. And no Wonder that the Lord High Steward was preferred to so great an Honour: The Origin of his Family was Royal, as I have shewed; he had a most opulent Estate conveyed down to him by a long Series of great and Heroick Ancestors; his hereditary Office linked him to the Crown, and gave him great Advantage over other Subjects; he had given early Testimonies both of Courage and Conduct; he was a most comely Youth, and his own Merit was heightned by the grateful Memory of his Father's Adherence to the *Brucian* Interest and his close Friendship with the present King, his Father, and Grandfather. By this Royal Match, the formerly great Estate of the *Stewarts* was very much augmented; for he obtained in *Franc Mariage* (if I may make use of that old Expression contained in the Charter it self) (*b*) the Baronies and Lands of *Bathcat*, *Ricartoun*, *Rathow*, *Wermes*, *Eryngaith*, *Gallowhill*, *Bondington*, *Burom*, *Kinpunt*, *Edinham*, &c. But what humane Grandeur and present Felicity are not attended or followed by humbling and mortifying Accidents? The very next Year 1316, as

Actions.

Marriage.

(*a*) See Inventar. Rotul. Rob. I. nunc amiss. vel latent. (*b*) Which see among Haddington's Collections.

(as we now reckon) on *Shrove-Tueſday* or *Faſtens Eve*, as the Lady *Marjory* was returning from *Paiſley* to the Caſtle of *Renfrew*, the then principal Reſidence of the Lord High Steward her Husband, ſhe was thrown from her Horſe, and died of the Fall: But becauſe ſhe was far gone with Child, and ſome Symptoms indicating the Neceſſity of the *Cæſarean* Operation having appeared, it was performed accordingly, but by an unskilful Hand, who with his Inſtrument gave the Infant a Scar in the Eye, from whence he was afterwards, when King of *Scotland* by the Name of *Robert* II. commonly called King *Blear-eye*; and the Croſs, which was erected on the Place where this unlucky Accident hap'ned, is to this Day, (but more unreaſonably) called Queen *Blear-eye's* Croſs. I haſten to the Glorious Life of that Monarch, whoſe Birth, we ſee, was ſo remarkably providential, and ſhall therefore give but a Curſory View of the after Actions and Honours of his Father. He was, after the taking of *Berwick* in 1318, made Governor of that important Frontier; and in 1319 he defended it with incomparable Gallantry and Prudence, againſt a Royal Army commanded by the King of *England* in Perſon. Mr. *Simſon* has left us a large, pleaſing and authentick Account of that memorable Siege: To him I refer my Reader, and ſhall only obſerve in this Place, that it was one of the moſt fierce and vigorous that perhaps was ever carried on in this Iſland; but to the immortal Honour of the Lord High Steward, it was unſucceſsful, and the *Engliſh* being in that and many other Reſpects diſappointed, were fain to acquieſce in a two Years Truce: During which Time the Nobility of *Scotland* aſſembled at *Aberbrothock*, and among theſe, the Lord High Steward wrote that famous Letter to the Pope, which I have elſewhere taken Notice of. Not long after, a bloody Plot againſt the ſacred Perſon of the King was diſcovered, and the Eſtates of thoſe Traitors falling to the Crown, the too liberal Monarch divided them among his Loyal Subjects. Then it was that the great Services of the Lord High Steward were again rewarded with the Lands (*a*) of *Nisbet*, *Langnewton*, *Maxtoun* and *Cavertoun* forfeited by Sir *John Soules*; and thoſe of *Eckford*, *Kelly* and *Methven* forfeited by Sir *Roger Moubray*. The two Years Truce no ſooner expired, but the War was renewed, and proſecuted with as much Vigour as ever. The King of *England* invaded *Scotland*, but did no great Damage; the King of *Scotland* invaded *England*, and had wonderful Succeſs; for on the 24th of *October* 1322, he fell on the retreating Enemy at the Abbey of *Byeland*, and King *Edward* had been made a Priſoner had he not ſaved himſelf by Flight: And even then he was cloſely purſued to the City of *York* by the Lord Steward at the head of 500 Horſe, who killed ſeverals of his Guards and Attendants, and making a Stand at one of the Gates, inſulted the Inhabitants within their Walls. After this followed a long Truce, during

(*a*) Inventar. Rot. Rob. I.

which Time, the Lord Steward a chief Officer of the Crown gave conſtant Attendance at Court, which was frequently kept at *Berwick*, and ſometimes at *Roxburgh*, *Drumfries*, *Air*, *Glaſgow*, *Stirling*, *Scoon*, *Aberbrothock*, St. *Andrews*, *Dumfermling*, *Edinburgh*, &c. as the Seaſon, Conveniency, and Exigency of Affairs required. This is evident from the Dates of a great many Writs under the great Seal, to which the Lord Steward is for the moſt part a Witneſs. When and where the Hereditary Right of Succeſſion to the Crown was by repeated Acts of Parliament declared to be lodged in the Perſon of *Robert Stewart*, failing Heirs Male of King *Robert*'s Body, I have already related (*a*). It was certainly no ſmall Satisfaction to the Lord High Steward to ſee his Son and Poſterity advanced ſo near to the Throne of their earlieſt Anceſtors; a Throne which he and his Father had ſo much contributed to reſcue from Uſurpation, domeſtick and foreign. It had been lucky
Death for the Nation if he had lived longer to guard it from the Violent Aſſaults, that for want of fit Perſons like him to ſit at the Helm of Affairs, had almoſt overturned it anew, during the Non-age both of the immediate Heir King *David*, and of his own Son, who was next in Blood at the Time: But, when as yet but 36 Years old, that is, in the greateſt Vigour of his Body and
And Iſſue. Mind, he was ſnatched away by untimely Fate, and died, according to Mr. *Simſon*'s Calculation, on the 9th of *April* 1327 at his Seat of *Bathcate* in *Lothian*. Mr. *Simſon* is alſo of Opinion that he was thrice Married, firſt to *Alice* Daughter of Sir *John Erskine* of *Erskine*, by whom he had only one Daughter *Jean*, ſecond Wife to *Hugh* Earl of *Roſs*, whoſe Son *William* Earl of *Roſs*, is called on different Reſpects Nephew and Brother-in-law to King *Robert* II. *2dly*, to the Lady *Marjory Bruce*; *3dly*, to *Iſabel* Daughter of the gallant Sir *John Graham* of *Abercorn*. His Iſſue by her were Sir *John Stewart* frequently mentioned as Brother to King *Robert* II. in that Prince's Charters, and *Egidia*, who was thrice married, *1ſt*, to Sir *James Lindſay* of *Glenesk*, *2dly*, to Sir *Hugh Eglington* of *Ardroſſan*, and *3dly*, to Sir *James Douglas* of *Dalkeith*.

Robert II K. of *Scotland*. *Robert* the ninth, Hereditary Lord High Steward of *Scotland*, muſt needs have been but about eleven Years old when his Father died, and not above ſeventeen, when, in 1333, he fought at the Head of the ſecond Battalion of the *Scots* Army at *Halidonhill*. The Event of that unlucky Battle diſpirited the whole Kingdom, which, for the moſt part, became an eaſy Prey to the Succeſsful Lord *Baliol*. Only four Caſtles in the Lowlands held out againſt him; no Face nor Form of Government was to be ſeen, but where the Intruders Authority prevailed; the Loyaliſts were all killed, made Priſoners or diſperſed, in ſo much that none but School-Boys at Play durſt give the Title of King to their lawful Sovereign, and he too, being hopeleſs and forlorn, was forced to truſt his weak Perſon

(*a*) Vol. 1. p. 633.

Perſon (for he was but a Boy) and that of his Royal Conſort to the providential Waves, and to ſeek Shelter and Protection in a foreign Soil. The Lord High Steward was the only Remnant of the *Brucian* Race in *Scotland*; an unpardonable Crime, for which nothing but Death could atone: But Heaven watched over the youthful Heroe, and ſome choiſe Friends were not wanting to the Deſigns of Providence. With their Aſſiſtance he made his Eſcape by Water to the impregnable Caſtle of *Dumbarton*: Here he ſtaid ſecure under the Guardianſhip of the eminently Loyal and brave Sir *Malcolm Fleeming*, but ſtaid not long before he contrived and executed a Project great as his Birth, and equal to the moſt daring Exploits, either of Sir *William Wallace*, or King *Robert Bruce*. At the Head of but a Handful of Highlanders, whom his Couſin Sir *Colin Campbell* brought to his Aſſiſtance, he renewed the War, recovered his Paternal Eſtate, and thereby gave ſo much Life and Courage to the Loyaliſts, that leaving their Receſſes, they flocked to him from all Parts, and never put up their Swords till they had effected, what they deſigned, the Freedom and Independency of the Nation. Since then, the very firſt Attempt of the Lord High Steward, was ſuch a Maſterpiece both of Courage and Conduct, 'tis no Wonder that the grateful Nation made him one of the Guardians of the Kingdom, (for in 1334, he and *John Randulph* Earl of *Murray* were joyntly preferred to that eminent Poſt) tho others of his Age were then and are ſtill thought unfit to govern themſelves and their private Affairs, and therefore are appointed to name their own Guardians or Curators for that Purpoſe. Such Laws are neceſſary with Reference to the Bulk of Mankind, but 'tis plain that the Lord *Robert* was not of the common Make; and that, if that Age had been as prolifick of polite Wits as of great Souls, the Poets of thoſe Days had ſaid of him ſomething not unlike to the Addreſs of a *French* Poet to his then youthful and aſpiring Maſter.

Perſecuted by the Lord Baliol.

Retrieves his own Loſſes and thoſe of the Nation.

Jeune & Vaillant Heros, dont la haute ſageſſe
N'eſt point le fruit tardif d'une lente vielleſſe.

The next Year 1335, *Scotland* was again invaded and over-run by the King of *England* in Perſon, and a vaſt Superiority of Men, not only from *England* and *Ireland*, but alſo from the Low Countries: And ſuch was the Misfortune of the Nation at that Time, that one of her Guardians the Lord High Steward lay all the while ſick in ſome ſtrong Caſtle, and that his Collegue the Earl of *Murray* fell into an Ambuſh of the Enemy, and was made a Priſoner of War. This occaſioned the Earl of *Athole*, I mean *David Strabolgy* and ſome other Traitors, to revolt from them, and to conclude a ſcandalous Treaty with the King of *England* and the Lord *Baliol*, pretending that they were warranted by a Commiſſion from the Lord High Steward. But he diſowned their Villany,

Made ſole Guardian of *Scotland.*

and Sir *Andrew Murray* of *Bothwel* being made his Collegue in the Room of the Earl of *Murray*, they did ſo many and ſo great Actions, as made the Death of the latter, which happened in the Year 1338, to be univerſally regretted, and occaſioned the former, tho ſtill but a very young Man, to be continued ſole Guardian of the Kingdom till 1342, when King *David* returned from *France*. By what Means the Reſtoration of that Monarch was effected I have related at large, and ſhall only obſerve in this Place, that it muſt needs have been principally owing to him, by whoſe Direction all Affairs Civil, Military and Politick, had been ſo long and ſo ſucceſsfully managed. 'Tis true that he had under him (I ſpeak of the Lord High Steward) as many Heroes almoſt as Officers, particularly Sir *William Douglas* and Sir *Alexander Ramſay*, whoſe Exploits would not be believed, were it not for the certain Conſequences that followed upon them. But what Commander in chief did ever yet great Things without good Officers and good Soldiers? And what Prince or ſupreme Ruler was ever thought great and glorious, that wanted the joint Concurrence of a wiſe and faithful Miniſtry? The Victories of *Turrene* and *Conde* begat the Sirname of *Great* to their Maſter *Lewis* XIV. of *France*; and *Alexander* of *Macedon* had not been firſt in the Liſts of Fame, if he had not been ſeconded by a brave Veteran Army, and Commanders, next to himſelf, the beſt in the World. To be ſhort, the Succeſſes of Subjects in whatever Station they act, do always reflect more Honour upon the ſupreme Ruler, who directs and orders their Motions, than upon themſelves; and moſt juſty, ſince, if the Head is diſtempered, nothing that's both regular and vigorous can be expected from the depending Members. Wherefore, to avoid Repetitions, I do not inſiſt upon the many Inſtances already given of the perſonal Valour and Prudence of the Lord High Steward; but from what I have ſaid, I may ſafely conclude, that as he, when in a private Station, and but a Boy, gave Life and Motion to the lethargick diſpirited State, ſo he afterwards by his Example at the Siege of *Perth* and elſewhere influenced, by his Prudence directed, and by his Authority commanded all theſe happy Events that made way to the glorious Reſtoration of his exiled Sovereign. And now he laid down his Office of Guardian after about eight Years Service in that Princely but troubleſom Poſt, yet never gave over attending the Court and Camp as Occaſion required: For, as I have obſerved, he waited upon the King at *Perth* immediately after his Arrival, and commanded the Van of his Army in that memorable Expedition made by him the ſame Year againſt the *Engliſh*. He did the like in 1346, and had the Honour and Wiſdom to bring off the Remains of his vanquiſhed Country-men from the unfortunate Battle of *Durham*, which if he had not done, 'tis probable the Nation had been again over-run, and the King not only made, but for ever detained a Priſoner in the Hands

Hands of his Enemies. I have Reaſon to ſay ſo; tho, if we may give Credit to *Boethius* (*a*), or *Buchanan* (*b*), or ſuch others as have copied after them, the King himſelf thought otherwiſe: For, ſay they, he was no ſooner relieved from his Captivity, but he puniſhed ſuch as he conceived had deſerted him in the Battle of *Durham*, particularly the Earl of *March*, a Part of whoſe Eſtate he confiſcated, and the Lord High Steward, his Nephew by his eldeſt Siſter *Marjory*, whom he deprived of his Birthright, breaking the Entail to the Crown formerly made in his favour, and ſubſtituting in his Place the young Lord *Alexander*, Son and Heir to the Earl of *Sutherland*, who was alſo his Nephew by his younger Siſter *Jane*. For this, they ſay, he obtained an Act of Parliament, which his Nobility were ſworn to obſerve and maintain. They add, that the old Earl of *Sutherland*, Father to this Prince *Alexander*, being perſwaded that his Son could not now miſs of the Crown, and willing to bind the faſter his Neighbours, particularly the *Hays*, *Sinclairs*, *Ogilvies* and *Gordons* to his Intereſt, gave to them the Lands which he then enjoyed in the *Boyn*, *Enzie* and *Kincardin*; but that all this Precaution failed, for not long after, the Lord *Alexander* his Son, being one of the Hoſtages then remaining in *England* for the Security of King *David*'s Ranſom, died of the Plague which then raged in that Kingdom; and that upon his Death, the Lord *Robert Stewart* was again reconciled to the King, and by Act of Parliament declared, as before, the next Heir to the Crown. This Story I can by no means believe, till I ſee a better Voucher for it than thoſe Authors I have mentioned, or than even the Continuator of *Fordon*, who, as I ſhall make it afterwards appear, by the eaſy Credit he gave to vulgar Reports, (a Fault *Fordon* himſelf was far from being guilty of,) has miſled the indiligent *Boethius*, and deſigning *Buchanan*, into Blunders more groſs, and Errors more dangerous than this. I cannot abſolutely pretend, at this Diſtance of Time, to give a plain Demonſtration to the contrary of what they have aſſerted. The moſt and beſt part of our *Scots* Records are loſt or latent, but I have conſulted thoſe who are beſt acquainted with them, and have yet found no Veſtige of the Matter in any Record or Author anterior to thoſe I have cited. The exact and chronological Author of the *Extracta e Chronicis* Scotiæ, *John Major*, and *Winton*, to ſay nothing of the more modern Biſhop *Leſly*, my Lord *Ormond*, *&c.* Men of much more undoubted Diligence and Veracity than *Boethius* and *Buchanan*, knew not of any ſuch thing; and indeed, it is highly improbable that any ſuch thing was ever intended, much leſs effected. For, I ask the Abettors of that injudicious and diſloyal Report, What was it that could move King *David*, a wiſe, grateful and generous Monarch, to puniſh the Earl of *March*, and diſinherit the Lord Steward? Was he angry with them, becauſe they preſerved the Re-

Never excluded from the Succeſſion.

(*a*) Fol. 327. (*b*) p. 305.

mains of his broken Army, and thereby both ſaved the Kingdom from Ruin, and paved the Way to his happy Return? No, but they deſerted him in the Heat of Action, and occaſioned the Loſs of the Day, and his Captivity. They were then Cowards, or Traitors, or both; but neither of them was ever ſuſpected of Cowardice, and I wonder that ſome Authors have ventured to ſay, *That the Overthrow of the* Scots *was attributed to the Cowardice of the Earl of* March, *who fled in the very firſt Shock of the Battle.* I am confident, that they have no Voucher for this, and I am ſure, no Reaſon. This *Patrick Dumbar* Earl of *March* was undoubtedly one of the Heroes of his Age, he had ſeen and faced Death in its moſt frightful Appearances an hundred Times before this, witneſs all *Scots* and *Engliſh* Writers whom I have every where cited, when the Subject led me to talk of the many great Actions of his Life. Nor was it neceſſary to reflect upon him in order to vindicate the Lord High Steward: As they were conjunct in the Command of the Van of the Army, ſo they retreated with equal Conſent; and it appears from the Records I have ſo often quoted, that they afterwards continued to act in their reſpective Stations with a great deal of Concord and Friendſhip. The Truth is, (if there be any Truth in the Matter) that King *David*, being unwilling to condemn his own Temerity, conſidered, as Mr. *Barnes* obſerves (*a*), both the Lord High Steward and the Earl of *March*, not as Cowards, (for that was ridiculous, and would take with no Body) but as Traitors, and being jealous that his Nephew had retreated thus, with deſign to leave him in the Lurch, in order to aſcertain the ſupreme Power to himſelf, expreſſed his Reſentment in ſuch Terms as might have given Riſe to a Report, that the Great Steward was actually excluded from the Succeſſion; but that he did carry his Reſentment or Jealouſy to ſuch a Height, I ſay once more, is highly improbable. If the Great Steward had been ſo wickedly diſpoſed, why did he formerly ſo much contribute to his Uncle's Return from *France*? And why did he afterwards bring about his Redemption from *England*? The one was no ſooner made a Priſoner, but the other was a ſecond time preferred to the Guardianſhip of the Kingdom. Well, how did he behave? I have already evinced from authentick Records, that he immediately ſent Money to *England* towards defraying the Charges of his captivated Sovereign; that the very next Year he ſet a Treaty on foot in order to effect his Relief; that Treaties tending to the ſame purpoſe were, by reiterated Commiſſions under his Hand and Seal, as being *Lieutenant for the moſt ſerene Prince* David *by the Grace of God King of* Scotland, every Year renewed with immenſe Charges, no doubt, and great interveening Difficulties, till at length he brought them to a happy Concluſion; that the Commiſſioners he employed in theſe Negotiations were Men of great Honour, Prudence

(*a*) P. 380.

dence and Probity, and ſuch as were afterwards employed by King *David* himſelf upon the moſt important Occaſions; (a Proof that he did not really deſign to delay or to put off what he ſeemingly ſtudied to advance:) And in fine, that the Earl of *March* was frequently one of thoſe Worthies whom he honoured with ſo great a Truſt; nay, that *John* his own eldeſt Son and Heir, and *John Dumbar* eldeſt Son and Heir to the Earl of *March*, were among the Hoſtages given up by them to the *Engliſh* in 1351, when King *David* was firſt permitted to come to *Scotland*, in order to quicken his final Redemption; another Proof that neither he nor the Earl of *March* had a Mind to retard it. It is true, that *John*, eldeſt Son and Heir to the Earl of *Sutherland*, was alſo one of thoſe Hoſtages, and why ſhould he not have run the ſame Hazard? I take notice of this the rather, becauſe from this and other Records, it appears that *Boethius* and *Buchanan*, who call that young Lord *Alexander*, and not *John*, have not ſo much as known the Name of a Perſon, who, they ſay, was by Act of Parliament declared to be next in the Succeſſion to the Crown. To be ſure, they never ſaw that Act of Parliament, nor indeed any other Evidence of what they have, I think, groundleſly aſſerted, elſe they could not have ſtumbled upon ſuch a palpable Miſtake. But to return to the former Argument, the King was, by the never ceaſing Endeavours of the Lord High Steward, freed from Captivity in 1357, and this laſt was thereby once more removed from his Office of Guardian of the Kingdom, after he had, with great Trouble and with Difficulties almoſt unconquerable, enjoyed it a ſecond time, no leſs than Eleven Years: On what Conditions was this great, but to Prince *Robert* (if he was an ill Man) mortifying Change of Affairs brought about? On ſuch as to him (I ſtill ſuppoſe what I argue againſt, that he was ambitious beyond Meaſure) muſt needs be yet more mortifying than the Change it ſelf; for not only his eldeſt Son *John* (a), but his other Children ſucceſſively, were to remain Hoſtages in *England*, till complete Payment ſhould be made of the Ranſom agreed to; nay, he himſelf was obliged to render himſelf a Priſoner, in caſe King *David* ſhould fail in the Performance of certain Articles. And after all this, is it poſſible that King *David* could be ſo ridiculouſly jealous, as to harbour an ill Thought of ſo dutiful a Subject and ſo affectionate a Nephew? Or could he be ſo monſtrouſly ungrateful, as to go about to deprive that very Perſon of his Birthright, to whoſe incomparable Courage and Conduct he chiefly owed not only his double Reſtoration, but even the free Air which he now breathed? I dare ſay, that had King *David* thought, at leaſt had he been able to have proved his Nephew to be guilty of Deſertion or Treaſon, he would have gone another Way to Work; I mean, he had put him to the Death he deſerved. By this means he had infallibly cut off his

(a) Fœd. Angl. Tom. VI. p. 52, 53, 54, &c.

Birthright, tho even that could not have tainted the Blood of his Poſterity, nor excluded his Children from the Title they had, failing himſelf and the Heirs of his own Body, to the Crown. This he could not but know, and nothing leſs than a Demonſtration clear as Sun-ſhine at Noon-Day, will perſwade me, that either he would attempt to occaſion a new Competition for the Kingdom, or that, if he had, his Subjects would have complyed ſo far with his Paſſion. I have ſhewed with what Scorn and Indignation they rejected ſuch another Propoſal, tho otherwiſe infinitely tempting, and in all Reſpects advantageous, preciſely becauſe by it the Laws of Succeſſion would have been violated, and the next in Blood deprived of his Birth-right. Who then can think thatit could enter into the Mind of any *Scotſman* honeſt and conſcientious, as the Nation then was, to give Way to ſo viſible an Encroachment upon the Conſtitution? or that the Wiſdom of the Nation would enter into ſuch Meaſures, as they knew by their own and their Fathers Experience, that a ſecond War of an hundred Years Continuance would not in all humane Probability unravel? Beſides, is it to be imagined, that the Lord High Steward, a Man of eminent Parts, great Performances, much Wealth, highly born, nobly bred, who had a Vaſſalage of at leaſt ten Thouſand Men at his Command, and a numerous Iſſue of brave Youths, whoſe eldeſt Son the Lord *John*, is even by *Buchanan* (tho he knows not, or would not know that he was the eldeſt) owned (*a*) to have commanded Armies and conquered Countries ſeveral Years before this Time; and who in fine had been ſo long Guardian of the Kingdom, that is, in reality King of *Scotland*? Is it, I ſay, to be imagined, that ſuch a Man could want Kinſmen, Dependants, Creatures and Friends to ſtand by him in ſo juſt a Cauſe? And would they not plead, that the Rights of Monarchy are unalienable, that even a lawful King, ſuch as King *David* was, and his lawful Parliament cannot legally take away ſuch Rights as were naturally, legally, and fairly eſtabliſhed by lawful Kings and lawful Parliaments anterior to thoſe of the Time in Being? That, if this were allowable, then no Form of Government could be laſting, no Right ſecure, no Eſtabliſhment to be depended upon, no Laws, Oaths, or Obligations binding? And what is it, tho ever ſo monſtrouſly unjuſt, that a tyrannical Sovereign and a cowardly Parliament, or a preſuming Parliament and a weak Sovereign could not do? But when was it that King *David* by Act of Parliament diſinherited the Lord High Steward? It was the very firſt Thing he did, ſays *Buchanan*, upon his Return from Captivity, which ſince the Treaty of *Berwick* was compleated on the fifth of *October* 1357, muſt have been done in the Council or Parliament (*b*) which he held at *Scoon* in *November* following. In that Council the Treaty of *Berwick* was ratified, and the Earl of *Dumbar* was ſo far from being maletreated in it, that on the contrary it appears that

(*a*) p. 304. l. 24. (*b*) Fœd. Angl. Tom. 6. p. 68.

that he has been rather careſſed: For I find that in the following Month of *December* (*a*) he was intruſted with the moſt important Affairs of the Kingdom, and ſent together with the Queen and the Biſhop of St. *Andrews* to the Court of *England*, in order, ſays the Record, to treat about Affairs concerning the two Kings. The next Year 1358 (*b*) both he, and the Lord High Steward, in Purſuance of the Obligation they had taken upon themſelves, went to *England*, and entred themſelves Priſoners in the Room of ſome other Hoſtages who were then relieved. Nay, the Lord High Steward actually paid (*c*) the firſt Proportion of the Sum due for the King's Ranſom; and at the ſame time relieved his eldeſt Son the Lord *John* from Priſon, but gave up his ſecond Son in his Room, in order to be detained as Surety for the ſecond Sum, which was payable the ſucceeding Year 1359. Thus we ſee, that in all Probability King *David* expreſſed no Reſentment againſt his Nephew for a conſiderable time after his Return from Captivity. Let us now examine what Grounds there are for thinking that he did it afterwards. For my part, I can find none: On the contrary, I can give many Proofs of the great Value he had for himſelf, and of the Care he took of his Poſterity; Proofs unqueſtionable, ſince drawn from original Records ſtill extant. In the Year laſt mentioned 1359 (*d*), he both amplified his former Eſtate, and honoured him with the Title of Earl of *Strathern*, which the Great Steward enjoyed till his Acceſſion to the Crown, and then beſtowed it upon *David* (not *Walter*, as *Buchanan* has it,) the eldeſt Son of his ſecond Wife Queen *Euphame Roſs*. Witneſs a Charter granted in *May Anno* 1372, by *David* Earl of *Strathern*, of the Lands of *Baldyrule*, to *John* de *Maxwel* Knight. This Charter is ſtill in the Hands of *John Haldane* of *Gleneagles*: And 'tis obſervable, that *John*, who was ſtiled Earl of *Carrick*, Great Steward of *Scotland*, and eldeſt Son to our Sovereign Lord the King, is a Witneſs to it; which ſhews, that *John* the eldeſt Son of *Elizabeth Mure*, was by the eldeſt Son of Queen *Euphame Roſs* acknowledged the eldeſt Son of the King their Father. But this by the by. There is a Charter granted by King *David* at *Perth* the 31ſt of *May*, and 27th of his Reign, that is, ſome Months after his Redemption, of the Earldom of *Athole* to his beloved Couſin *John Stewart*, eldeſt Son to *Robert* Steward of *Scotland* his Nephew, and to *Annabel Drummond* his Spouſe, or the longeſt liver of them two. King *David* was not then, it ſeems, inclinable, as is aſſerted, to diſinherit the Father, when at the ſame time he was giving both Lands and Honours to the Son. Nor does it appear that he afterwards repented of theſe Favours, but that he rather approved of and augmented them; for there is another Charter granted by him at *Scoon* the 22d of *June* the 34th of his Reign, that is, (if I compute right) in the Year 1363, wherein he, with the Conſent of the Eſtates of Par-

(*a*) Ib. p. 73, 75. (*b*) Ib. p. 87. (*c*) Ib. p. 91. (*d*) Crawfurd's Hiſt. of the Stew. p. 15.

liament, gives to *John*, ſtiled as above, the Earldom of *Carrick*, &c. and that he was not only obligingly liberal to the Father and eldeſt Son, but alſo to others of the Family, appears from this, that *Alexander* the ſecond Son is found ſitting in one of his Parliaments in the Quality of Lord or Earl of *Menteith*.

I have dwelt the longer upon theſe Obſervations, not only becauſe to me they are convincing Proofs of what I have aſſerted, *viz.* that King *David* did at no time ſuſpect the Lord Steward of Treachery, nor deſign to exclude him and his Heirs from their Right of ſucceeding to the Crown, but alſo becauſe they evidently confute two other Calumnies put upon the heroical Prince whoſe Life I write. The firſt is, I believe, of *Buchanan*'s own Invention, who tells us (*a*), that the Children of *Elizabeth Mure*, were by their Father when King, preferred to Honours and Wealth, as if they had not been before that time both enriched and dignified with Titles by their Couſin King *David*. The other was firſt invented by *Ruſſel* of *Charterhouſe* the Continuator of *Fordon*'s Hiſtory, afterwards tranſcribed by *Boethius*, ever ready to take Things upon the Word of any foregoing Writer, and laſtly ſet out and aſſerted by *Buchanan* with all the colourable Circumſtances he thought proper to faſten an indelible Aſperſion upon the Royal Family, and to paſs a Fable upon the World. His Words are theſe (*b*), or to this Purpoſe. "In the third Year of King *Robert*'s Reign, *ſays he, that is Anno* "1373, (*or* 1387, *as others have written,*) Queen *Euphame* the Daughter "of *Hugh* Earl of *Roſs* died, and left him three Children, *Walter* after- "wards Earl of *Strathern*, *David* Earl of *Athole*, and *Euphame* Counteſs of *Douglas*. But King *Robert* had a mind to prefer the Children "he had formerly begot on the Body of *Elizabeth Mure*, and therefore took her to Wife. This laſt, the Daughter of one *Adam* "*Mure* an illuſtrious Knight, was extremely beautiful, and the "King had fallen in Love with her when he was young, and "had by her three Sons and two Daughters; yet thought fit to "beſtow her in Marriage upon one *Giffard* a Gentleman in *Lothian*. Now this *Giffard* and Queen *Euphame* chanced to die much "about the ſame time: Upon which the King, either induced by "the old Familiarity he had with her, (he means *Elizabeth Mure*) "or elſe, as many report, with a Deſign to legitimate the Children ſhe had born to him, married their Mother, and preſently "advanced her Sons to Honours and Riches. *John* the eldeſt was "made Earl of *Carrick*, *Robert* the ſecond was made Earl of *Menteith*, and the third *Alexander* Earl of *Buchan* and *Badenach*. "Neither was he content with this Munificence; for he alſo prevailed with the Eſtates of Parliament aſſembled at *Scoon*, to "paſs by the Children of Queen *Euphame*, and to obſerve the "Priority of Age with reſpect to the Succeſſion. This afterwards "was like to be the Ruin of that numerous Family:" And this whole

Buchanan confuted.

Robert II. his firſt Wife was *Elizabeth Mure*.

Buchanan confuted.

The Legitimacy of *Robert* III. aſſerted.

(*a*) p. 308. (*b*) p. 327.

whole Story, ſay I, is but one continued Calumny; ſo palpable a Calumny, at leaſt ſo groſs an Error, that had I no other Vouchers of the Truth of the *Scots* Hiſtory, but thoſe indiligent or malicious Authors who have related it, I ſhould be tempted to doubt of every thing I my ſelf have written. And this ſhews, by the by, (blame me who will) that I have all the Reaſon in the World to call in queſtion, as I often do, and ſometimes to diſprove Matters of Fact related by former Authors. The unerring Records which I have always in my Eye, have led me naturally to confute this unpardonable Miſtake, before I deſigned to enter upon the Subject, and I have done it as often as from them I have been taught to call *John Stewart* the eldeſt Son and Heir of his Father the Lord *Robert*. Being directed by theſe Guides, and diſtruſtful as I am of all others but theſe, I could not have failed of diſcovering the Truth, tho it had not been diſcovered, as it was, to my Hand, and demonſtrated beyond the poſſibility of an Objection or Reply, not only by all *Scots* Authors that have written of late, but alſo by ſeveral *Engliſh*, particularly Mr. *Rymer*, Mr. *Barnes* and Dr. *Brady*. The admirable Mr. *John Sage* lately deceaſed, but for his many Excellencies never to be forgotten, being animated by his extraordinary Zeal for the Monarchy and Blood Royal, after a diligent peruſal of all that till then was ſaid upon the Subject, thought fit to illuſtrate the whole, in his elaborate Introduction to the Works of the polite Poet and ingenious Hiſtorian *William Drummond* of *Hawthornden*. To him, (for nothing can be ſaid to better purpoſe) I refer my Reader, and ſhall only take notice *en paſſant*, that he has cited no leſs than Ten authentick Charters diſtinct from thoſe mentioned above, and Three Acts of Parliament, all dated before the Death of Queen *Euphame Roſs*, every one of which is a Demonſtration that *John*, the eldeſt Son of *Elizabeth Mure*, was by Queen *Euphame* her ſelf, the Children of her Body, King *David*, the States of Parliament, and indeed all living at the time, acknowledged and known to be the eldeſt Son and Heir of *Robert*, called ſometimes the Steward of *Scotland*, ſometimes the Earl of *Strathern*, and ſometimes the King. And he could have cited many more domeſtick Vouchers; for almoſt every Gentleman in the Kingdom whoſe Family was extant in thoſe Times, needs but to look into the Records of his own Houſe, and he will very readily find ſome one or other to which *John*, Son and Heir of the Great Steward, is a Witneſs. I have ſeen one of theſe in the Cuſtody of his Grace the Duke of *Gordon*, and another in that of my Lord *Salton*. But Mr. *Sage* goes on, and from Mr. *Rymer*'s Letters to the Lord Biſhop of *Carliſle*, cites Ten more undeniable Evidences to the ſame purpoſe, all or moſt of theſe I have alſo quoted as they fell in my Way of Courſe, and muſt take notice in this place of what I hinted at before, That a Double of the finiſhing Treaty of *Berwick*, in purſuance of which King *David* was freed from

Captivity, and *John* the Son and Heir of the Great Steward ſent among the reſt of the Hoſtages to *England*, was ſome Years after tranſmitted to *France*, where it is yet to be ſeen, and from whence the late Earl of *Winton*, or ſome other of his Acquaintance, brought home a Copy of it as of moſt other Writs which he found among the Archives of *France* relative to *Scotland* and *Scots* Affairs: So that here is a plain Confirmation of the Authenticity of the ſame Record as it is publiſhed by Mr. *Rymer*. Mr. *Sage* takes notice of three other Demonſtrations of the ſame Truth, ſtill extant in the *Scots* College of *Paris*, and publiſhed by Mr. *Lewis Innes* the Primar of that College, a Gentleman of undoubted Parts and no leſs Veracity, who, to put the Matter out of all doubt, on the 20th of *May* 1694, produced an original Charter (of which by and by) before 21 *Scotſmen*, no incompetent Judges of the Matter, and 8 of the moſt judicious and skilful Antiquaries in *France*. They all together, after a moſt inquiſitive and careful Examination, declared that it was ancient, genuine, and unqueſtionably written in the Character of thoſe Times. Nay, the laborious Sir *James Dalrymple* (*a*) tells us, *That he has ſeen this ſame Charter* verbatim, *as it is publiſhed by our Countrymen in* France, *in the Extracts of two Regiſter-Books of the Biſhoprick of* Glaſgow, *taken from theſe Records in the Year* 1556, *ſome Years before they were carried to* Paris *at the Reformation*. Well, what is the Import of this Charter? It unravels almoſt the whole Myſtery. By it *Robert* Steward of *Scotland* and Earl of *Strathern*, founds a Chaplainry in the Church of *Glaſgow*, and the Reaſon he gives for that charitable Work, is becauſe *long ago* (*dudum* is the Word,) *William* by the Grace of God Biſhop of *Glaſgow*, had been impowered and delegated by the Apoſtolick See, to grant a Diſpenſation for a *Marriage between him and the deceaſt* Elizabeth Mure *while ſhe was alive, the Canonical Impediments of Conſanguinity and Affinity notwithſtanding*. 'Tis plain then, that *Elizabeth Mure* had been Canonically married, ſince a fair Diſpenſation was obtained, and that ſhe was dead before the Grant of this Charter, which is dated at *Perth* the 12th of *January* 1364. 'Tis conſequently falſe, that, in order to the Legitimation of her Children, ſhe was married with the Great Steward when King, and after the third Year of his Reign, that is, 1373, when, according to *Buchanan*, Queen *Euphame* died. I hope no Body will think that the Death of this laſt occaſioned a Reſurrection to the former. Miracles are ſaid to be ceaſed, and this is one we are not to look for till the Conſummation of Time. This Charter is dated, as I have ſaid, in the Year 1364, and the Seals both of *Robert* Earl of *Strathern* and *John* Lord of *Kyle* his firſt begotten Son and Heir, are appended to it; from whence it does not at all follow, but that the Diſpenſation might have been obtained, and the Marriage celebrated full Thirty Years before this time. For, beſides the

(*a*) Preface to his hiſtorical Collections, p. 36.

the Word *dudum*, of which I have taken notice, which ſhews that it was long ſince the Biſhop had granted it, it is obſervable, that Biſhop *William Rae* (for that was his Name,) entred the See of *Glaſgow* in the Year 1335 or 1336, at leaſt we are ſure by the original Papers ſtill extant in the *Scots* College of *Paris*, under his Hand and Seal, that he was Biſhop *in Anno* 1340 and 1341, ſo that the Lord *John* might have been at this time about 24 Years of Age, and yet very lawfully begotten, as he certainly was. Why his Father delayed ſo long to return the Teſtimony of his Gratitude, which he now gives to the Biſhop and See of *Glaſgow*, is no Objection, I humbly conceive, at all; for till now, that the King was freed from Captivity, and the War as good as ended, it may be reaſonably ſuppoſed, that he had frequent and preſſing Occaſions for all and more than the Revenues of his Eſtate, and therefore was not preſt by the Biſhop to perform that Obligation under which he lay, and ought to have performed, ſays the Record, *within a ſet Time now elapſed.* And this again ſhews, that the Diſpenſation had been granted long before, I believe, previouſly to the Marriage, tho others think otherwiſe, and tell the Story thus. The Lord High Steward, ſay they, when he was a young Man, was enamoured with the Beauty of his Couſin *Elizabeth Mure* Daughter to Sir *Adam Mure* of *Rowallan*, and prevailed with her to come privately to his Caſtle of *Dundonald.* Sir *Adam* being advertiſed of his Daughter's Flight, and apprehenſive that ſhe had been ſtoln away, and was detained by Violence, preſently went thither and demanded her back: But the Great Steward told him, that he had married her, and produced the Prieſt who performed the Ceremony. Both this laſt, and the Witneſſes that had been preſent, acknowledged the Matter of Fact. Upon which, Sir *Adam* being abundantly ſatisfied with the Match, (he had very good Reaſon,) took Inſtrument in the Hands of one *Mackadam* a Notary, and ſo returned to his own Houſe. This Inſtrument, ſay they, is ſtill to be ſeen in the Charter-cheſt of *Rowallan.* If ſo, the preſent Earl of *Glaſgow*, (whoſe Lady is the Daughter of the late *William Mure* of *Rowallan*) has it in his Cuſtody, and it were to be wiſhed his Lordſhip would be pleaſed to make it as publick as Mr. *Innes* has made the Charter I mentioned above; till then, I beg Pardon to doubt of the thing, the rather, becauſe the preſent Earl of *Cromerty*, formerly Viſcount of *Tarbat*, in his excellent Vindication of *Robert* III. from the Imputation of Baſtardy, ſpeaks of a Teſtificate under the Hand of *Roger Mackadam* a Prieſt, bearing, That he the ſaid *Roger* did marry *Robert* the Great Steward of *Scotland* to *Elizabeth Mure* Daughter to *Rowallan*: And Mr. *John Lermont*, Chaplain to *Alexander* Biſhop of St. *Andrews*, in his Collection of the *Scots* Antiquities, aſſerts that he ſaw this Teſtificate; which if true, the foregoing Story and Inſtrument upon which it is founded muſt be fictitious, unleſs we ſhall ſay, that *Mackadam*

was both the Prieſt that performed the matrimonial Ceremony, and the Notary in whoſe Hands Sir *Adam Mure* took Inſtrument. Beſides, 'tis highly improbable that the Lord High Steward of *Scotland* would ſteal away the Daughter of the Laird of *Rowallan*; for this laſt, as the Story is told, was very well pleaſed with the Match, when informed of it by his Son-in-law, the Prieſt and Witneſſes. To be ſure then, he would have conſented to it beforehand, if he had been deſired, and why he was not deſired I can ſee but one Reaſon, which is, that the amorous Pair could not wait till a Diſpenſation was obtained; they longed to be married, (as the Song has it) and therefore married clandeſtinely. But why in the Houſe of *Dundonald*, and not in that of *Rowallan*? For once more, I dare ſay, Sir *Adam* would have made no Scruple to give his Countenance even to a clandeſtine Marriage between his Daughter a private Gentlewoman, and the next Heir, after the King, of the Crown. The worſt that could come on it, was, what actually happened, that an After-diſpenſation muſt be obtained. But the Charter bears expreſly, that the Diſpenſation was obtained *ſupra matrimonio contrahendo, in order to the Marriage*, and tho it is of no great Importance upon the main, I have ſo much Regard to the Modeſty and Prudence of the Lady *Elizabeth*, as to give intire Credit to the Charter, till I be undeceived by the Publication of the Inſtrument. In fine, I muſt enquire why we are not told of the Day and Date of that Inſtrument, and who were the Witneſſes, and what was the Name of the Prieſt? Theſe Things, if they were known, would remove a great many Doubts, and the whole Myſtery would be unravelled to all Intents and Purpoſes. However this is certain, and we need know no more, that *Elizabeth Mure* was the firſt Wife of *Robert* Lord High Steward of *Scotland*, and the Lord *John* his Son and Heir was lawfully begotten in that Marriage. But a Diſpenſation was neceſſary, and that alone was a ſufficient Ground to a deſigning Uſurper, I mean *Walter* Earl of *Athole* the Murderer of King *James* I. one of the Steward's Sons by his ſecond Marriage, to give out ſome Fifty or Threeſcore Years afterwards, that the Children of the firſt were not lawful, and the Abettors of that Villany would not probably fail to ſupport it by plauſible Fictions and lying Stories, which, we all know, leave always a deep Impreſſion upon the Minds of the deluded Populace. For this Reaſon it is, that Sir *James Dalrymple* conjectures *Fordon*'s Continuator, who firſt committed the Calumny to Writing, to have been in the Intereſt of the Parricide I named but juſt now, tho it is more charitable to think, that that Author has been impoſed upon by vulgar Reports, or the Affinity of the Names of *Mure* and *Morham*, the rather, becauſe it is true, that a Gentlewoman of this laſt Sirname, was about the Time married to *John Giffard* of *Yeſter*, as he himſelf obſerves. And the Earl of *Cromerty* has given us a Charter, dated at *Perth* the

15th

15th of *January* and the 12th Year of King *Robert* II. his Reign, that is in 1382, by which he diſpones certain inconſiderable Lands to *John Stewart* begot by him and his beloved *More*, or *Moram*, as the Latin Record has it, and failing him to *James Stewart* begot by him and *Marion* de *Cairden*, &c. So that 'tis plain, if the Charter be genuine, that he had Children by two Concubines, and that one of them was called *Mora*, and her Son *John*; which tho it is a very ill Excuſe, as is obvious to any Body capable of reflecting upon what I have ſaid, is nevertheleſs the beſt one I can find for *Ruſſel*. But Mr. *Rymer* is of Sir *James Dalrymple*'s Opinion concerning that Writer, and thus, he ſays, it was in *England*, when King *Richard* III. had the Effronterie to ſpread the Story of the Baſtardy of his Brother's Children, getting even eminent Preachers to propagate it from their Pulpits. And did not the Rebels in *France*, during the Minority of the preſent King *Lewis* XIV. reflect in the ſame Manner upon the Legitimacy of his Birth, becauſe forſooth his Mother did not conceive ſo ſoon as was expected; and tho ſhe had another Son the Duke of *Orleans* about two Years after, yet the Party did not ceaſe inſinuating, what they knew no Man of Honour or Senſe could believe. And no Wonder, the very Conception and Birth of a lawful Heir are of all Crimes the greateſt in the Eyes of an illegal Intruder: For ſince Hereditary Monarchies are founded upon Birthright, to overturn theſe, 'tis neceſſary to make this uncertain. But God Almighty the Author of both, takes generally Care to evidence the Legitimacy of thoſe he deſigns for his Vicegerents by Proofs ſo bright and ſo ſhining, that the Darkneſs of Hell, and Malice of Devils can never obſcure them. Witneſs the preſent Caſe. But to proceed,

As ſoon as King *David* died, (and he died, as I have elſewhere evinced, on the 22d of *February* 1371,) a great Part of the Nobility met at *Linlithgow*, in Order, ſays *Boethius* (*a*), and after him *Holinſhed* (*b*), to chuſe him a Succeſſor. A notorious Falſhood, which even *Buchanan* has not thought fit to repete: On the contrary, he ſays (*c*) that their Buſineſs was to congratulate the Lord High Steward upon his Acceſſion to the Throne which his Uncle had entailed upon him. He ſhould have ſaid his Grandfather, and not his Uncle: For as it nowhere appears that ever King *David* did either alter or ſettle the Succeſſion, which fell to his Nephew of Courſe; ſo 'tis certain, and I have made it plain to a Demonſtration (*d*) that both in the Year 1318 and in 1328 King *Robert Bruce* declared the Right of Succeſſion, failing Heirs Male of his own Body, to be lodged in the Perſon of this ſame *Robert Stewart* his Grandchild by *Marjory* his eldeſt Daughter. Theſe Acts and his own Birth-right make it plain that he could have no Competitor of the *Brucian* Race. But, now the *Baliols* were all dead without Iſſue, *William* then Earl of *Douglas* had by his Mother, the only Daughter of *Red*

A.D. 1371.

Boethius confuted.

(*a*) Fol. 327. (*b*) p. 355. (*c*) p. 306. (*d*) Vol. I. p. 633.

John Cumin of *Badenach*, (the very ſame who was killed by King *Robert Bruce* in the Church of *Drumfries*,) the ſame Title which the *Baliols* had pretended to. For, as I have obſerved *(a)*, *Marjory* the Mother of this *John Cumin* was the Daughter of *Dervegild* and the Siſter of King *John*: By Conſequence the Earl of *Douglas* was deſcended from the eldeſt Daughter of Prince *David* Earl of *Huntington* and *Garrioch*; and therefore, ſay the Authors above-cited, came to the Aſſembly with an armed Power, and craved to be preferred to King *Robert* II. (for now I muſt call him ſo) who was deſcended only from the ſecond Daughter of the ſame Prince *David*. This was to revive the old Competition with a Witneſs. But it was out of time; the Primogeniture of the Heir Male, the old Conſtitution of the Kingdom, the legal and juſt Deciſion made near 200 Years before by King *Alexander* II. the Senſe of the whole Nation ſo often and ſo ſolemnly declared, the reiterated Renunciations and Demiſſions of the two *Baliols*, the preſent moſt happy and legal Eſtabliſhment, the ruinous War occaſioned by the ſame Claim, a War which, tho commenced near 100 Years before that Time, was not yet ended, the Heroick Atchievements of the *Brucian* Family, nay and of the Earl of *Douglas* himſelf and his Progenitors, who ſtill adhered to it in Oppoſition to the Pretenſions which he now made, the long Poſſeſſion of the ſame Houſe, and the great Merit of the preſent King *Robert* and his Anceſtors back to the Royal Stock from which they derived their Origin, were unanſwerable Arguments againſt whatever his Wit could plead, or Ambition attempt. Beſides, if Renunciations are of any Force, the King of *England*, and not the Earl of *Douglas*, was inveſted with the Right of the *Baliol*. And who could think that the *Scots* Nation, and the very ſame Men who had ſo lately rejected the advantagious Propoſals and perhaps better Pretenſions of the former, preciſely becauſe they neither could nor would exclude the Lord High Steward, would now ſet up the latter in his Room? For my part, I can ſcarcely believe upon the Word of ſuch Authors as either *Boethius* or *Buchanan*, that the Earl of *Douglas* durſt betray ſo much Ambition. If he had, I believe the King (for now he was really ſuch) had puniſhed the treaſonable Attempt, with the Blood of ſo bold an Offender; at leaſt, I humbly conceive, he would not have ſtrengthned his Family by beſtowing one of his own Daughters the Princeſs *Euphame* upon his Son: And yet we are told, that upon his Submiſſion he did it, and that *George* the Earl of *March*, whoſe Father the Brave and Loyal Earl *Patrick* was now dead, his Brother *John Dunbar* lately made Earl of *Murray*, and Sir *Robert Erskine* Governor of the three ſtrongeſt Caſtles in the Kingdom, *Dumbarton*, *Stirling* and *Edinburgh*, were thoſe that prevailed with the Earl of *Douglas* to paſs from his Claim. Whatever Truth may be in this Story, for I cannot poſitively contradict it, 'tis certain

The Earl of *Douglas* his Pretenſions to the Crown groundleſs and vain.

(a) Ib. p. 567.

tain that better Things were talked of and determined at this Meeting, which were that they ſhould proceed with all convenient Diligence to the Coronation of the King, and that at the ſame Time a general Council or Parliament ſhould be called. Accordingly the Parliament met, and the King was crowned at *Scoon* on the 27th of *March* 1371, that is preciſely one Month after the Death of King *David*, ſo that we ſee the Strugle or Competition, if any ſuch was made by the Earl of *Douglas*, muſt needs have been but faint and of ſhort Continuance. On the ſame Day an Act of Parliament was drawn up, ſtill extant. It is written upon Parchment, and has the Seal of the Earl of *Douglas* the pretended Competitor appended to it, together with thoſe of no leſs than 51 Prelates, Noblemen and Barons; for Burghers, it ſeems, were not yet commonly called to the grand Council, but when, as I have obſerved in King *Robert Bruce*'s Time, Affairs more immediately relating to themſelves were to be tranſacted. The Earl of *Cromerty* (or Lord *Tarbat*) has publiſhed a full Abſtract of this memorable and never enough to be valued Record; and I ſhall, for Reaſons obvious to the Reader, tranſcribe ſome of the moſt remarkable Paſſages contained in it.* It begins thus,

Robert II. crowned King.

" In the Name of the holy and undivided Trinity, Father, " Son and Holy Ghoſt, *Amen.* Upon the 27th Day of *March*, " and Year from the Incarnation of our Lord 1371, according to the " Cuſtom and Computation of the Church of *Scotland*, the moſt " ſerene Prince and Lord *Robert* King of *Scots*, being at *Scoon* the " Time of his Coronation, the Prelates, Earls, Barons and o- " thers of the Clergy and People of his Kingdom being alſo there " preſent, after the ſacred Solemnities of his Anointment and " Coronation were ended, and his legal Right declared, by Ver- " tue of which the ſaid moſt ſerene Prince had ſucceeded, and " ought to ſucceed to the Lord *David* King of *Scotland* his Uncle " and Predeceſſor, both upon the Account of the Propinquity of " his Blood, and the *Declaration thereof contained in certain Inſtru-* " *ments which were made in the Time of the Lord* Robert *King of* " Scotland *of famous Memory*, his Grandfire and Predeceſſor, *which* " *Inſtruments were produced and publickly read*; as alſo, after he had " taken the uſual Oaths of Homage and Fealty from the ſaid Pre- " lates, Earls, *&c.* he then being induced by the Example of the " ſaid King *Robert* of celebrated Memory his Grandfather, " thought fit to declare in Preſence of the Clergy and People, his " Succeſſor and *true Heir, who altho he was and is abundantly well* " *known*, (ſo I tranſlate thoſe Words, *licet de ipſo clare conſtitit at-* " *que conſtat ex abundanti*:) He nevertheleſs, with the unanimous " Conſent and Aſſent of the ſaids Prelates, Earls, Lords and Ba- " rons, did declare, aſſert, acknowledge, manifeſt and will, that " when he ſhould happen, at the Pleaſure of Almighty God, to " depart from this Life, the Lord *John* his firſt begotten Son

" Earl of *Carrick*, and Steward of *Scotland*, ſhall and ought to be his " true and lawful Heir, and that after his Death the ſaid Lord " *John* ſhall ſucceed to him by the Providence of God, and ſhall " ſit and ought to ſit upon the Throne of this Kingdom. Which " Declaration being ſo emitted by our Sovereign Lord the King " himſelf concerning his ſaid eldeſt Son and Heir, every one of the " ſaids Prelates, Earls, Lords, Barons and others preſent, with " a full Voice, one by one, for himſelf, his Heirs and Succeſſors " did aſſert, affirm, acknowledge, declare and will that the ſaid " Lord *John* after the Death of his ſaid Father, ſhall by the Grace " of God, if alive at the Time, be King of *Scotland*, as lawful " Heir of his ſaid Father, promiſing each of them *bona fide*, and " having their Hands lifted up to Heaven in Token of their ſince- " rity, that they ſhall hold and eſteem him as their King, and " that they ſhall aſſiſt and defend him againſt all Mortals.

I need not proceed to the end, ſince by what is here ſet down, the three Points I have been all this while contending for, in Oppoſition to diſloyal or ignorant Writers, are made out, I think, to a Demonſtration. The firſt is, that King *David* did never offer to diſinherit the Lord High Steward: If he had, to be ſure, this Act had not only retroſpected, as it does, to the Declarations of King *Robert Bruce*, but alſo to the laſt Act of King *David*, by which they would have us to believe contrary to all Truth or even Probability, that the Lord High Steward was reſtored to his former Right. The ſecond, that his Son the Lord *John* was Earl of *Carrick*, and conſequently advanced to Honours and Riches, not only before the Death of Queen *Euphame Roſs*, but alſo before his Father's Acceſſion to the Throne. And the third, That the ſame Lord *John* was known to be the eldeſt lawful Son of his Father, and as ſuch declared his Succeſſor in the Kingdom, not the third Year, as *Buchanan* has it, but the very firſt Month of his Father's Reign, and conſequently while *Euphame* his Mother-in-law was alive, and looking on, and no doubt conſenting to what 'tis plain ſhe could not refuſe. And after this, what can be ſaid of *Scots* Authors, I mean *Ruſſel*, *Boethius*, *Buchanan*, &c. but that either their own Diſloyalty, or that of the Ages they lived in, has forged Impediments where in Reality there were none, and laid them in the Way that conducted both the *Bruces* and *Stewarts* to the Throne of *Scotland*, on purpoſe to raiſe Objections againſt the legally inherent, and conſequently Divine Right of their lawful Progeny. But Thanks be to the Author of all Good, I hope, I have made it appear to all ſuch as have more Regard to authentick Records, which none dare offer to diſprove, than to calumnious or fabulous Writers, who have produced no Vouchers at all, that *Robert* I. (*a*) had, by the Conſtitution of his Time, a more legal and natural Title than his Competitor the Lord *Baliol*, and that the Title of *Robert* II. his

(*a*) Vol. I. p. 627. 628, &c.

his Grandſon, probably never was, and certainly never could be queſtioned with any Shew of Reaſon, Equity, or Law.

The Buſineſs of the Coronation and Succeſſion was no ſooner over, but the provident King began to take the State of the Kingdom into his Conſideration. The *Engliſh* were ſtill Maſters of *Berwick*, *Roxburgh*, and ſome leſſer Fortreſſes on the Borders, which, becauſe his Predeceſſor King *David* had in *July* 1369, prolonged the former Truce during the ſpace of 14 Years, he could not hope to recover in haſte. Nay, the Nation was ſtill owing to the King of *England* the Sum of 56000 Merks *Sterling*, as the Remainder of King *David*'s Ranſom, and 4000 Merks of that Sum were to be paid every Year on the 24th of *June*. The King, it ſeems, reſolved generouſly to pay the Money, and religiouſly to obſerve the Truce; yet thought fit to be upon his Guard in caſe of a Rupture on the part of *Edward* III. King of *England*, whoſe cunning and ambitious Temper he had ſo much Reaſon to dread. With this View, he named (*a*) *Walter* Biſhop of *Glaſgow*, Sir *Archbald Douglas* his Couſin, Sir *James Douglas* and Mr. *Adam Tynyngham*, (I believe *Cuningham*) his Plenipotentiaries, and ſent them forthwith to *France*, in order to renew the Ancient League. Their Commiſſion is dated at *Scoon* the laſt of *March* 1371, the firſt Year of the Reign of King *Robert*. Theſe Gentlemen were received by that wiſe Monarch *Charles* V. of *France*, with all imaginable Demonſtrations of Reſpect and Kindneſs. He had Reaſon, For

Robert II. renews the League with *France*.

Being very unwilling to keep ſo diſhonourable and diſadvantageous a Peace, as his Father's Captivity had forced him to comply with, he had ever ſince by all means poſſible endeavoured firſt to put himſelf and his Subjects in a Condition, and then to find out a fit Opportunity of renewing the War. The Opportunity he laid hold on was this. *Edward* the *Black Prince* of *Wales* had endammaged his Health, and exhauſted his Coffers in doing one of the moſt glorious Actions in the World, I mean, in re-eſtabliſhing *Peter*, a cruel Tyrant indeed, but a lawful King, upon the Throne of *Caſtile* (*b*). *Peter* proved monſtrouſly ungrateful, and thereby brought about his own Ruin, and occaſioned the Prince to lay upon his Subjects of *Gaſcoigne* and the neighbouring Provinces a new Tax, which they were unwilling to pay, and therefore appealed from the Prince to the King of *France*, as his ſuperior Lord, from whom he held by Homage and Fealty. King *Charles* very well knew, that by the laſt Treaty King *Edward* and his Heirs were abſolutely freed from all manner of Service for thoſe *French* Territories himſelf and his Father had yielded to the *Engliſh* Sceptre; yet he ſummoned the *Black Prince* to come to *Paris* and anſwer his Subjects Accuſations; who ſent back Word, *That he would come, but with a Retinue of* 60000 *Men*. Upon this King *Charles* proceeded to Hoſtilities, and King *Edward* complained of the Breach of Peace

Charles V. K. of *France* quarrels with *Edward* III. King of *England*.

(*a*) Chart. penes Comit. de Winton. (*b*) Echard p. 375, &c. Orleans p. 67, &c.

to the Pope and to the Emperor. Theſe laſt made a Journey into *France*, and heard what both Parties had to ſay in their own Vindication. The *Engliſh* alledged, that the *French* were the firſt Infringers of the ſolemn Treaty, by ſeiſing on *Ponthieu* and other Parts of *Gaſcoigne*, without firſt demanding Reſtitution for any Injury committed, and inſiſted upon many other unfair Practices. The *French* on the other ſide pretended, that King *Edward* had not made that publick Renunciation to the Crown of *France*, as the Treaty obliged him, nor did he withdraw his Troops out of *France* ſo ſoon as he ought to have done; therefore that the Breach was on his ſide. Both Sides had their plauſible Pretences, but neither ſubmitting to an Agreement, King *Charles* ſent a Defiance to King *Edward*, and King *Edward* reaſſumed his Claim to the Crown of *France*, and altered his Seals accordingly. Thus the War broke out afreſh, and was carried on with various Succeſſes, but for the moſt part to the Advantage of *France*, now again reconciled to Fortune, from the Year 1369 till 1371, when the *Scots* Ambaſſadors arrived at *Paris*.

To be ſure they were no unwelcome Gueſts, as Matters ſtood. A very good Author (*a*) who writes only from Records ſeen and peruſed by himſelf, tells us, that they came to this Agreement with the King of *France*, "That the ſaid King ſhould require "the King of *Scotland* and his Subjects to maintain their Allian- "ces with the King and Kingdom of *France*, in whoſe Prejudice "the Truces with *England* had been made; That theſe Truces "being of themſelves null and void, ſhould be declared to be ſuch "by the Pope, who alſo for the ſame Reaſon ſhould diſpenſe with "the Oaths taken by the King of *Scotland* and the *Scots* Nation; That "the King of *Scotland* ſhould, in purſuance of his former Obliga- "tions, make War with the King and Kingdom of *England*; That "to enable him both to make War, and to pay the Remainder "due for the Ranſom of King *David*, the King of *France* ſhould "pay to him 100000 Nobles of Gold; That he ſhould alſo ſend "Arms to *Scotland* for 500 Knights and 500 Serjeants; That du- "ring the ſpace of two Years he ſhould pay and entertain 500 "Men at Arms, and 500 Serjeants, beſides 1000 good experien- "ced Soldiers, nay and more, if there ſhould be Occaſion for them. "In fine, that the Money deſtined for theſe Uſes, ſhould be paid "annually at *Bruges* in the Church of the *Auguſtines*. Notwith- "ſtanding all which, ſuch other Supplies as the King and King- "dom of *France* were by former Treaties obliged to give to the "King and Kingdom of *Scotland*, ſhould be continued. That this Treaty was agreed to by the Commiſſioners on both ſides, I have no Reaſon to doubt; but whether it was that the Pope declined to give his Concurrence, or that either, or both the Kings did not approve of it, I cannot tell; but am ſure that it had no Effect at this

(*a*) Traitez d'entre les Roys de France & d'Angl. p. 283.

this time, nor for ſome Years afterwards: For tho the Borderers did often haraſs and invade the Countries of one another, yet till ſome time after the Death of King *Edward* III. an open War did not break out between the two Kingdoms of *Scotland* and *England*; and it appears by the Treaty which was concluded by thoſe Ambaſſadors whom I have mentioned, and which (*a*) was ratified firſt by King *Charles* at *Chaſtel du bois de Vincennes*, the laſt of *June* 1371, in the Eighth Year of his Reign, and afterwards by King *Robert* in the Caſtle of *Edinburgh*, the 28th of *October* the ſame Year 1371 and firſt of his Reign; it appears, I ſay, by this Treaty, that the Truce with *England* was not to be violated. For by an expreſs Clauſe it was provided, *That neither the King of* Scotland *nor the King of* France *ſhould be obliged to make War againſt* England *till the preſent Truce ſhould expire, or be violated by the King of* England. From whence it ſeems probable, that at this time there was alſo a Truce between *England* and *France*. By another Clauſe, *The Diſpenſation or Authority even of the Pope, could never free either of the Kings or Kingdoms of* Scotland *and* France, *from the Obligation they lay under to aſſiſt one another as often as required, in oppoſition to the King and Kingdom of* England. By a Third, it was provided, *That in caſe a Competition ſhould ariſe about the Crown of* Scotland, *the King of* France *and his Heirs ſhould take care, that no* Engliſh *Influence was uſed, but that the Matter being by the greateſt and beſt Part of the* Scots *Nation decided conformably to the Laws and Statutes of* Scotland, *he ſhould with all his Power aſſiſt and defend the Perſon ſo eſtabliſhed.* Laſtly it was agreed, *That no* Frenchman *ſhould ever henceforth ſerve for Wages or otherwiſe againſt* Scotland, *nor any* Scotſman *againſt* France. The Reaſons of the former Articles are obvious to every Body, and I learn from Mr. *Barnes* why this laſt one was alſo inſerted; tho Mr. *Barnes* is extremely miſtaken in the Way he tells the Story: For, ſays he (*a*), King *Robert* II. of *Scotland*, being well acquainted with the Power of King *Edward*, was deſirous in the beginning of his Reign to eſtabliſh his Kingdom in Peace, and therefore made a Motion for a Treaty with *England*, which King *Edward* embraced. Accordingly a firm Truce and Peace was taken, to continue the ſpace of 9 Years, during which time *it might be lawful for the* Scots *to take Arms at their Pleaſure, and to ſerve for Wages either the King of* England *or of* France. Mr. *Tyrrel* ſays much the ſame thing, which any Body ſees is abſolutely falſe. The reſt of the Story is true, and I go on with it. As the *Engliſh* General Sir *Robert Knolles*, continues he, was marching away from before *Noyon*, a City of *Picardy* in *France*, there was done an extraordinary Feat of Arms by a *Scots* Knight named Sir *John Aſſueton*, one of thoſe *Scotſmen* at Arms who had now entred King *Edward*'s Pay. This Gentleman left his Rank with his Spear in his Hand, his Page riding behind him,

Additional Clauſes of the League made by *Robert* II. of *Scotland* and *Charles* V. of *France*.

A wonderful Action of Sir *John Aſſueton* a *Scots* Knight.

(*a*) Chart. penes Comit. de Wint. Fœd. Angl. Tom. VI. p. 696. Traitez d'entre les Roys de p. 295, 296. (*b*) p. 800, 801.

him, and went to the Barriers of *Noyon*, where lighting from his Horſe, he ordered his Page to hold him, and not to ſtir from thence. Sir *John* de *Roye*, Sir *Lancelot* de *Lorris*, and 10 or 12 more that were within the Barriers, admired what it was he deſigned, but he ſoon ſatisfied their Curioſity with theſe Words; *Gentlemen, I come hither to pay you a Viſit; and becauſe I ſee, you will not come without your Encloſure to me, I have a mind to go in to you if poſſible, and to prove my Knighthood againſt you: Win me if you can.* He had no ſooner done ſpeaking, but he jumped over the Bars, and began to lay about him like a Lion, he at them and they at him: Thus he fought alone againſt them all, near the ſpace of an Hour, during which time he wounded ſeverals. The Citizens beheld from their Windows and Walls with Delight and Amazement his great Activity, Strength, Courage and Skill, but did not offer to do him any Hurt, as they eaſily might have done, by caſting Stones or Darts at him, but they were expreſly forbidden by the *French* Knights, who thought it diſhonourable to take any Advantage of ſo brave a Man, but what himſelf had given. At length the *Scots* Page approaching the Barriers with his Maſter's Horſe in his Hand, ſaid to him in his own Language, *Sir, pray come away, the Army is marched quite out of ſight, and it is high time for you to leave off.* Sir *John* took his Servant's Advice, but firſt gave two or three terrible Stroaks about him to clear the Way, then armed as he was, leaped back again over the Barriers, and unhurt mounting his Horſe, and turning to the *Frenchmen*, ſaid, *Adieu Meſſieurs, I thank you for the Diverſion you have given me.* With theſe Words he rode after his Servant upon the Spur, towards the Army, leaving behind him a very remarkable Inſtance of his own Gallantry and that of his Countrymen, which as every Body admired, ſo it was but reaſonable, that upon renewing the League with *France*, there ſhould be an expreſs Clauſe diſcharging the Allies on both ſides, I mean both the *French* and *Scots*, from miſapplying their Valour to the Detriment of one another: But, as I obſerved before, this did not fall out in the Beginning of King *Robert*'s Reign, but in the End of that of King *David*; for even Mr. *Barnes* has placed it in the Year 1370 when King *David* was alive; and that the two laſt Years of his Reign *Scotſmen* were permitted to ſerve indifferently in the *Engliſh* and *French* Armies I am very ſure; for in *June* 1369 (*a*) I find, that *Godfrey* de *Roſs* and *Patrick Mackulloch*, with 40 Men at Arms, did actually liſt themſelves in the *Engliſh* Service; nor was this to be interpreted a Breach of the *French* League, till now that by an expreſs Clauſe it was prohibited.

The renewing of the *French* League, and the recalling of the *Scots* Forces from the *Engliſh* Service, were certainly no agreeable Things to King *Edward*: He dreaded yet worſe; and therefore in *February* 1372,

(*a*) Fœd. Angl. Tom. VI. p. 629.

1372, iſſued out (*a*) his Orders, commanding all the Men capable to carry Arms in the North of *England*, to be in a Readineſs to defend their Frontiers, which, he heard, the *Scots* threatned to invade. What gave Riſe to theſe Alarms was this. In *Auguſt* laſt paſt (*b*), one of the Servants of *George* Earl of *March* had been killed, I know not in what Quarrel, nor whether it was premeditated or no, by ſome *Engliſh*, at the Fair of *Roxburgh*. Upon this, Complaints were made to the Warden of the *Engliſh* Marches *Henry* Lord *Percy*, whom *Scots* Authors continue ſtill to call, but erroneouſly, The Earl of *Northumberland*. That General being unwilling to make amends, took the Alarm hotter than, it ſeems, he needed, for the King of *Scotland* did not deſign a Rupture: But the Earl of *March*, and his Brother the Earl of *Murray*, reſolving to revenge their own Quarrel, drew together a good Body of their Men, and marched with great Privacy to the next Fair, which was kept in the ſame Place, entred the Town, ſet it on fire, put all the *Engliſhmen* they found in it to the Sword, and carried away their Goods as lawful Prize. The *Engliſh* Borderers, who, as I have ſaid, were in Purſuance of the Orders which they had received from Court, ready to take Arms, being provoked by the Slaughter of their Countrymen at *Roxburgh*, marched in a conſiderable Body to the Lands belonging to the Earl of *March* the chief Object of their Reſentment, but unluckily for them, ravaged thoſe of Sir *John Gordon* in their Way. Sir *John* was not behind with them: He entred *England* in his Turn, and was returning with a vaſt Booty of Cattle, and no few Priſoners of War, when at a Place called *Carram* he was met and attacked by an Army under the Conduct of Sir *John Lilburn*. The Fight was fierce and various; for 'tis ſaid that the *Scots* turned their Backs no leſs than five Times, and rallying as often, at length put the Aggreſſors to the Rout, and added their Captain Sir *John*, his Brother, and a great many more of his Friends and Clients to the Number of the Priſoners whom they had before in their Cuſtody. This double Affront and great Damage the Lord *Henry Percy* could not ſit with: He ſet himſelf at the head of above 7000 Men, invaded *Scotland*, and encamped at *Duns*, a Village famous for the Birth of the ſubtile Doctor *John Scot*, of the Order of St. *Francis*. While he lay there, the Peaſants of the adjacent Country met in the Night, and having provided certain Bags of dry Leather which they filled with ſmall peeble Stones, they made ſuch a Noiſe around the Camp, that the Enemies Horſes being thereby affrighted, broke looſe from their Keepers, and leaving the Camp, ran through the Country, and were taken the next Day and detained by the *Scots*. The *Engliſh* finding themſelves thus abuſed, and not daring to advance further without their Horſes, betook themſelves to their Feet and retired homewards with great Precipitation. That very

A. D. 1372

The Earl of *March* ſets *Roxburgh* on fire.

Sir *John Gordon* defeats the *Engliſh*.

(*a*) Fœd. Angl. Tom. 6. p. 713. (*b*) Buchan, p. 306, 307.

Makes Sir *Thomas Muſgrave* a Priſoner of War.

Day *Thomas Muſgrave* the Governor of *Berwick*, deſigned to have joined them with ſome Squadrons of the Garriſon, but he too was intercepted in the Way by Sir *John Gordon*, who lay in Ambuſh for him, and made him a Priſoner.

Sir *John Johnſton* his Exploits.

Sir *John Johnſton* on the Weſt Marches had no leſs Succeſs in the frequent, briſk and well timed Excurſions which he made upon the *Engliſh* Borders that lay neareſt to him, in ſo much that, ſays *Buchanan*, he did them very near as much Miſchief, as regular Armies could have done. And this is the Account we have of the Hoſtilities committed by both Nations upon one another in the Beginning of the Reign of King *Robert* II. I have linked them together, becauſe I know not how to divide them, tho I am ſure that all this was not done in one Year, nay, nor in the firſt two Years after the King's Acceſſion to the Throne: For, as in *February* (*a*) and in *May* (*b*) the next Year
A. D. 1373. 1373, ſo in *Auguſt* 1374 (*c*), I find that Commiſſioners were named by both Kings, particularly *William* Earl of *Douglas* for *Scotland*, and *Henry* Lord *Percy* for *England*, to take away the Quarrels of the Borderers, and to reform the Breaches of the Truce. But that their quarrelling Humour was taken away by theſe Treaties I have no Reaſon to think, ſince we are told (*d*), that henceforth till the Death of King *Edward* III. there was neither a ſettled Peace, nor an open War between the two Nations: But that the Breaches of the Truce were from time to time made up, is evident from what I have ſaid, and more particularly from this, that the King of *Scotland* never failed to pay the Money he owed upon the Account of his Uncle's Ranſom (*e*) as it fell due of Courſe, in ſo much that at the Death of King *Edward* (*f*) no more but 28000 Merks remained unpaid. 'Tis true that at firſt he made ſome Difficulty upon the Matter, becauſe (*g*) in the Receipts and Diſcharges returned to him by the King of *England*, the Title of King was not given to him, nor had it been to his Predeceſſor; for he was only called (*h*) *The moſt noble and moſt potent Prince* Robert *his dear Couſin of* Scotland, when there was a Ceſſation of Arms; and in Time of War (*i*), *his Adverſary of* Scotland. The Kings of *France* got no higher Title from the Kings of *England* at this Time, nor long afterwards; and the Reaſon was the ſame with Relation to both: For, till the Matter was decided by a final Peace, the Kings of *England*, tho they did not aſſume the Title of Kings of *Scotland*, as they did that of *France*, yet claimed the Sovereignty of it by Vertue of the Lord *Baliol*'s Renunciation in their Favour, and their pretended Right of Superiority. But what to me ſeems particularly remarkable, is this: *Richard* II. of *England*, in ſeveral diſtinct Treaties with foreign Princes (*k*), gives always the Precedency to his *Adverſary of* Scotland,

Why the Title of K. was denied by the Kings of *England* to thoſe of *Scotland* and *France*.

(*a*) Fœd. Angl. Tom. 7. p. 2. (*b*) Ib. p. 9. (*c*) Ib. p. 45. (*d*) Buchan. p. 308. (*e*) Fœd. Angl. Tom. 6. p. 739 Tom 7. p. 26, 40, 113. (*f*) Ib. p. 208. (*g*) Ib. Tom. 6. p. 756. (*h*) Ib. p. 724. (*i*) Ib. Tom. 7. p. 673. (*k*) Ib. p. 724.

land, as he calls him, before the Kings of *Arragon* and *Navarre*. Nay, King *Edward* III. himſelf, in a ſafe Conduct granted to *Margaret* (*a*) the Widow of King *David*, calls her *The Queen Dowager of* Scotland: And when King *Robert*, as I have ſaid, complained that the Title of King was not inſerted in the Acquittances tranſmitted to him from *England*; he made anſwer, that theſe Acquittances were and ſhould be conſidered no leſs valid, than if the Title of King of *Scotland* was inſerted; and, to ſay the Truth, neither the Kings of *Scotland* nor the Kings of *France* could deſire that they of *England* ſhould call them ſuch, unleſs at the ſame Time they meant to deſire that the Kings of *England* ſhould either lay down their Claims, which was not to be obtained but by a final Peace, or confeſs themſelves bare-faced Uſurpers, at leaſt the Authors of an unjuſt and groundleſs War. But of this by the by.

The King finding himſelf engaged in a War with *England* of no leſs than ſeventy Years Continuance, and yet not likely to end; and fearing that upon his own Death, or that of the Earl of *Carrick*, a Prince of a valetudinary Conſtitution, who had no lawful Children of his Body till the Year 1378, the Intrigues of the *Engliſh* Court, or the Ambition of ſome of his own Sons, or even that of ſuch great Men as had the Honour to be married with his Daughters, might give Riſe to any thing like a Competition for the Crown; The King, I ſay, finding himſelf and the Nation thus ſtated, reſolved to engage the whole Kingdom into a joint and ſolemn Obligation to ſupport and adhere to his known and undoubted Succeſſors, according to their reſpective Rights of Primogeniture, and the unalterable Laws of the Land. To effect this, he ſummoned a Parliament or grand Council to meet, as before, at *Scoon*, and on the 4th of *April* 1373, the third Year of his Reign, an Act was paſt (*b*), by which the King, with Conſent and Aſſent of the Prelates, Earls, Barons, *&c. did ſtatute, declare and ordain*, "That the "Sons begotten of his firſt and ſecond Wives, and their Heirs, "ſhould in Order ſucceed to him the ſaid King in the Kingdom and "Right of Reigning, that is to ſay, that his eldeſt Son the Lord "*John* Earl of *Carrick* and Steward of *Scotland*, procreated betwixt "him and his firſt Wife *Elizabeth Mure*, conformably to the De-"claration made in the laſt Parliament, ſhould ſucceed to him; "and failing him and the Heirs of his Body, (which God forbid) "the Lord *Robert* Earl of *Fife* and *Menteith*, ſecond Son of the "ſaid Lord the King by his ſaid firſt Wife; and the ſaid Lord "*Robert* and his Heirs alſo failing, *Alexander* Lord of *Badenach*, "(*afterwards Earl of* Buchan) the third Son of the ſaid Lord the "King by the ſame Wife; and the ſaid Lord *Alexander* and his "Heirs failing alſo, the Lord *David* Earl of *Strathern* Son of the

Entail of the Crown of *Scotland* made by K. *Robert* II.

(*a*) Ib. p. 38. (*b*) Mackenzies jus Reg. p. 194, 195. Brady's Succeſſion of the Crown, p. 409. Barnes, p. 798.

" ſaid Lord the King, begotten of his ſecond Wife *Euphame Roſs*
" and the ſaid *David* and his Heirs in like manner perchance fail
" ing, *Walter* Son of the ſaid Lord the King, Brother german o
" the ſaid Lord *David* (*afterwards Earl of* Athole;) and that th
" foreſaid five Brothers and the Heirs from them deſcending, fail
" ing perchance in like manner, and wholly (which God forbid
" the true and lawful Heirs of the Blood and Stock Royal fron
" thence forward ſhould ſucceed in the Kingdom and the Righ
" of reigning, *&c.* To this noble Record, which is alone ſuffici ent to ſilence all Obloquy, the Great Seal of *Scotland*, and thoſe of 41 Prelates, Earls, and Barons are appended; among the reſt that of the Earl of *Douglas*, which I take notice of the rather, becauſe of the Pretenſions ſome Authors have been pleaſed to lodge in his Perſon. I ſhall make no more Obſervations upon the Subject, nor do I need, ſince the Conſequences to be drawn from ſo ſolemn an Act of Parliament in Favour of the hereditary Right of *Scots* Monarchs are evident: And yet this very Act has been made uſe of by *Buchanan*, who has probably heard of it or ſeen it, to overturn what it ſo ſtrongly aſſerts; I ſay, that *Buchanan* probably heard of it or ſaw it, and my Reaſon is, becauſe he ſays *That King* Robert *in the third Year* (a) *of his Reign married* Elizabeth Mure, *who had been his Concubine, legitimated her Children, advanced them to Honours and Riches, and obtained an Act of Parliament by which they were preferred in the Order of Succeſſion to the Children of Queen* Euphame. From thence 'tis plain, that this is the Act of Parliament he ſpeaks of, which if he has repreſented fairly, let the World judge.

Buchanan confuted.

And now that the King and Kingdom of *Scotland*, by the Name of a Truce, enjoyed moſt of the Advantages of Peace, let us ſee what her Allies and Enemies were doing. Fortune continued to divide her Smiles between both, but *France* was become her principal Favourite, or, to ſpeak more properly, the Juſtice of God being ſatisfied with the long Sufferings and Humiliation of the *French* and *Scots*, was opening a Way for thoſe more terrible Puniſhments, by which the Offences of the *Engliſh* Nation, particularly their Diſloyalty and Rebellion were to be chaſtiſed: But, as Providence works always, or for the moſt part by exterior and viſible Means, ſo this unexpected Turn of Affairs (*b*) was apparently owing to the admirable Conduct of King *Charles* V. of *France*, deſervedly ſirnamed the *Wiſe*, to the declining Genius and old Age of the formerly ſo much admired King *Edward* III. of *England*, now ſurpriſingly bewitched and miſled by the Artifices of *Alice Perrers*, a Courtezan, at leaſt ſo called by moſt Authors; and to the long Sickneſs and ſucceeding Death of the heroick Prince of *Wales*. He died in *June* 1376, and with him, ſays Mr. *Echard*, the Hopes of all *Engliſhmen*. Nor did his Father ſeem to live after him, ſo ſenſibly

Declining State of *England*.

A.D. 1376. Death of the *Black Prince*.

was

(a) p. 307, 308. (b) Echard p. 378, 379, &c. Orleans p. 67, 68, &c. Traitez d'entre p. 284, 285, &c.

was he affected with his Loſs, ſince he alſo died in *June* 1377. But as the Death of the Prince was univerſally regretted by Men, ſo it may be juſtly thought to have been precious before God, for he received the Sacraments of the Church with great Devotion, and expreſt all the Sentiments of a good Chriſtian; and no Wonder, ſince during his Life he had ever been diſintereſtedly vertuous, and but very little addicted to his Pleaſures. The King, on the contrary, tho he had been a long time before dangerouſly ſick, was nevertheleſs ſurpriſed and ſnatched away on a ſudden; for his Miſtreſs (tho Mr. *Barnes* and ſome others vainly contend that ſhe ought not to be ſo called,) kept by him ſo cloſe, that none could approach him till he loſt his Speech; then packing up what ſhe could get even to the Rings on his Fingers, ſhe abandoned him. His other Attendants did the like by her Example; and even his Counſellors, who probably were only ſuch as were agreeable to that impudent Harpie, abandoned him in his laſt Agony, which a poor Prieſt of the Houſe obſerving, approached to his Bed-ſide, and finding him ſtill breathing, called upon him to remember his Saviour, and ask Mercy for his Sins; upon this, *he expreſſed the Name of* Jeſus, *and ſhewed all the Signs of Contrition*, ſays Mr. *Echard*; *Good, tho late, if ſincere, but ſeldom ſincere, when ſo very late*, ſays *Pere* d'*Orleans*. "And thus, continues the firſt, we are arrived "at the End of this great and mighty King's Reign, which began "a new Scene of Miſeries and Calamities. We find how he came "to the Throne and how he left it, in both which we have Con-"ſiderations of great Importance. His mounting over his Father's "Head into the Throne, tho it might not be his Crime, yet it "went not without a Puniſhment, and that in an high Degree: "For he left behind him three Sons of extraordinary Figure and "Ability, yet he had not one to ſit on his Seat, but left it un-"guarded to a Child of 11 Years of Age, expoſed to the Ambi-"tion of Uncles who overpowered him, to a factious and diſcon-"tented Nation at home, and to broken and diſtracted Inheri-"tances abroad; himſelf having ſeen all his great Acquiſitions "gained with ſuch vaſt Treaſure and Bloodſhed, quite torn from "him, and nothing remaining but the ſingle Town of *Calais*." In this, I think, Mr. *Echard* is miſtaken; for even *French* Authors (*a*) acknowledge, that in order to a ſolid and laſting Peace, the King of *France* offered to yield 1400 Towns and 3000 Caſtles in *Guienne*, provided that the King of *England* (*Edward* III. I mean) would reſtore *Calais* and what elſe he poſſeſt in *Picardy* but King *Edward* was dead, and *Richard* II. his Grandſon by the renowned Prince of *Wales*, had ſucceeded to him before the Ambaſſadors who were commiſſioned to make theſe Propoſals to him, could come over the Seas. Sometime after Pope *Gregory* XI. by whoſe Mediation the Treaty was ſo far advanced, likewiſe died, and a

A. D. 1377. Death of *Edward* III. of *England*.

Richard II. ſucceeds to *Edward* III. of *England*.

(*a*) Traitez d'entre p. 285. Orleans, p. 68.

Schiſm enſued in the Church, which did not a little contribute to keep up the Differences of Princes, and to perpetuate the Wars ſo long ſince begun. The Occaſion of the Schiſm was this.

Schiſm in the Church of *Rome* fatal to Chriſtendom.

The Cardinals being met in order to the Election of a new Pontiff (*a*), were conſtrained by the Citizens of *Rome* to pitch upon a *Roman* or *Italian*, who, it was hoped, would not remove the Apoſtolick See from *Rome* to *Avignon*, as a great many former Popes, by their reſiding in this laſt Place, ſeemed to have done. The Perſon preferred was a *Neapolitan* born, who took upon him the Name of *Urban* VI. But ſoon after the Cardinals, pretending that the Election which they had made was forced, and therefore null, deſerted *Urban*, and chuſe another by the Name of *Clement* VII. who, as the *French* Faction had a mind, fixed his See at *Avignon*. Upon this all Chriſtendom divided, *Urban* being owned by the *Empire*, *England*, *Portugal* and *Hungary*; and *Clement* by *France*, *Scotland*, *Caſtile* and *Naples*. Both Parties upbraided one another with the odious Names of Schiſmaticks, and conſequently (unleſs Repentance interveened) Reprobates. Nor was this grand Debate taken away till 39 Years afterwards, when the Council of *Conſtance* depoſed their Succeſſors (*b*) *Gregory* XII. and *Benedict* XIII. and ſet up in their Room *Martin* V. As ſo long a Schiſm was in it ſelf ſcandalous, and could not fail to occaſion the Relaxation of Eccleſiaſtick Diſcipline, ſo it was alſo very hurtful to the temporal Intereſt of Kingdoms and States: For tho ſome former Popes, (and who they were I have told as often as I had Occaſion) being blinded by their Zeal or Ambition, or both, had done thoſe things with reference to the Temporality of Princes and Subjects, which none, even of their own Communion, but Bigots or Court-Paraſites did ever offer to vindicate; yet the moſt part of them muſt be owned by impartial Readers and Writers of Hiſtory to have had, what was then thought, the Quiet and Advantage of Chriſtendom in their View, and to have been moſt eminently inſtrumental in bringing about all the amicable Treaties that were ſet on foot between the contending Powers in *Britain*, and the neighbouring Continent. But now there was no common Father, as the Popes were believed to be, nor Umpire to mediate and compoſe Differences, it was no Wonder that the Devil of Diſſention prevailed. The King of *France* laid hold on the lucky Opportunity, which the Diſtractions of the Chriſtian World in general, and the declining and unſettled State of *England* in particular, afforded him of purſuing his Advantages with Vigour. Neither was it long before the *Scots* and *Engliſh*, being moved by ancient Hatred and preſent Proſpects, encroached upon the Truce, and committed ſuch Hoſtilities againſt one another as are not allowable but in time of War. Who were to blame I cannot determine, but ſhall tranſcribe from Hiſtorians

Scotland, *France*, &c. adhere to Pope *Clement* VII.

And *England*, *Germany*, &c. to Pope *Urban* VI.

(*a*) Hiſtoire des Papes, &c. par Chambre d'Ormond ad An. 1378. Tyrrel Vol. 3. p. 845. (*b*) Chambre ad An. 1409.

ſtorians, of both Nations, thoſe Matters of Fact which they have related.

Not long after the Coronation of the young King *Richard* II. of *England* (*a*), the *Scots* and *Engliſh* meeting at the Fair of *Roxburgh* quarrelled, as they had done before on the like Occaſion, and the *Scots* once more ſet the Town on fire. To be revenged of this, the Lord *Henry Percy*, who had been lately made Earl of *Northumberland*, entred *Scotland* at the Head of 10000 Men, where during three Days he did a great deal of Miſchief. Upon this, Complaints were made to both Courts, and that of *England* granted two Commiſſions, one in *September* 1377 (*b*), and another in *January* 1378 (*c*), to fit Perſons, with Orders to quiet the Borders and repair Injuries. Perhaps the King of *Scotland* did the ſame, but to very little purpoſe; for, not long after this one *John Mercer* a *Scotsman* (*d*), with a good Fleet manned by *Scots*, *French* and *Spaniards*, attacked *Scarburgh*, and carried off a great many *Engliſh* Ships that lay in the Harbour, together with ſome Priſoners. The Reaſon given for this Expedition was this. His Father, like himſelf, a brave Sea Officer, had been lately made a Priſoner by the Inhabitants of *Northumberland*, and committed to the Caſtle of *Scarburgh*. He was, ſays my Author, vaſtly rich, intereſted, cunning and provident, and for theſe Qualifications very much in favour with the King of *France*, who followed his Counſel in every thing that related to *England* or *Engliſh* Affairs: And it was, continues he, the Nation's Misfortune that he was exchanged for other Priſoners; for had he been obliged to pay a Ranſom proportionable to his Wealth, he had enriched both the King and Kingdom of *England*, ſo immenſe was the Treaſure he had acquired. If ſo, nay, had it been otherwiſe, his Son had very good Reaſon to effect his Relief, and I admire that *Engliſh* Authors write with ſo much Diſreſpect, and that *Scots* Authors make no Mention at all of two Men ſo very remarkable for their Bravery, Courage, Command and Reputation. *John Mercer* threatned much more Dammage to the *Engliſh* Trade than either he or his Father had yet done. But, ſays *Walſingham*, he, whoſe Property it is to humble the Proud, and to exalt the Humble, defeated his Deſigns; for, continues he, all the Ships he had made Prize of, together with his own Son, were afterwards retaken. Thus it appears that the *French*, and the *Scots* in the *French* Service, proſecuted the War with Vigour; and this was probably the Reaſon why the Council of King *Richard* perſwaded him to name Commiſſioners to treat (*e*) with the King of *Scotland* about a final Peace. The Commiſſion which he granted was dated on the 22d of *October*, but before the Plenipotentiaries could meet, an unexpected Event obſtructed the Project. *Walſingham* (*f*) relates the Story as follows. On *Thurſday*, ſays he, before the Feaſt

Hoſtilities renewed between the *Scots* and *Engliſh*.

A.D. 1378.

John Mercer an Officer at Sea, his Exploits & Wealth.

(*a*) Walſing. p. 198. Tyrrel Vol. 3. p. 837. (*b*) Fœd. Angl. Tom. VII. p. 174. (*c*) Ib. p. 183. (*d*) Walſing. p. 211. (*e*) Fœd. Angl. Tom. VII. p. 206. (*f*) p. 219.

of St. *Andrew*, that is, the 30th of *November*, ſome Robbers from *Scotland* being favoured by the Cloud of Night, got into the Caſtle of *Berwick*, and killed the Conſtable Sir *Robert Boynton*, but ſet his Lady, Children and Friends at liberty, upon their undertaking either to return Priſoners to the Caſtle within three Weeks, or to pay the Sum of 2000 Merks *Sterling*. Upon Advice of this, the Earl of *Northumberland* ſent to the Earl of *March*, Guardian of the Marches for *Scotland*, to enquire whether this Breach of the Truce had been made by his Authority. The Earl of *March* made Anſwer, that he knew nothing of the Matter, and that he was willing to join his Forces with thoſe of the Earl of *Northumberland* in order to reduce theſe Villains. But theſe laſt, when ſummoned by the Earl of *Northumberland* to give up the Caſtle to himſelf as Attorney for the King of *England*, *told him*, (*as is uſual to the* Scots *Nation*) *in few Words, but with great Inſolence*, That they would neither give it up to the King of *England*, nor to the King of *Scotland* himſelf; but that while they lived they would defend it againſt all Mortals for the Uſe of the King of *France*. If they ſaid ſo, they were as good as their Word, for they defended it bravely during the ſpace of 8 Days, but on the 9th, after a long and terrible Conflict, in which nevertheleſs the Beſiegers loſt but two Men, the Caſtle was ſtormed, and thoſe within it to the Number of 48 put to the Sword: Only one was ſaved, that from him they might learn the Deſigns of the *Scots*; and we are told by Mr. *Tyrrel* (*a*), that this one was *Alexander Ramſay* the Governour: He alſo ſays, that the Number of the Beſiegers amounted to 3000 Horſe and 7000 Archers, under the Conduct of the Earls of *Northumberland* and *Nottingham*, with the Lords *Nevill*, *Lacy*, *Stafford*, *&c.* and that after having retaken the Caſtle they marched farther into *Scotland*, but that 600 of them commanded by Sir *Thomas Muſgrave*, fell into an Ambuſh laid by the Earl of *Douglas*, and were all cut off or made Priſoners. By this we ſee the Partiality of *Walſingham*, who would have us to believe, that the Earl of *Northumberland* had but 400 Men under his Command. And I muſt not omit to let my Reader know, that thoſe daring and inſolent Robbers (as *Walſingham* is pleaſed to call them,) were led out by the brave Sir *John Gordon*, and that, according to *Scots* Authors (*b*), they were not above 6 in Number when they ſurpriſed the Caſtle of *Berwick*: Which if true, it was no Wonder that they could not hold it out above 8 Days, but rather that they durſt venture upon the Attempt at any Rate.

Berwick taken by the *Scots*.

Retaken by the *Engliſh*.

Engliſh defeated by the Earl of *Douglas* and Sir *John Gordon*.

A.D. 1379. The next Year 1379 was fatal to *England* upon many Accounts. The *French* ſtill prevailed beyond Seas, and a deſtructive Peſtilence broke out at Home, ſo deſtructive that almoſt the whole North was depopulated; and, which was yet worſe, ſays *Walſingham*, the *Scots ſhewing themſelves to be the declared Enemies of Mankind*, were ſo far from

(*a*) Vol. 3. p. 837. (*b*) Boet. fol. 329. Buchan. p. 308.

from commiſerating the Malheurs of their fellow Creatures, that, on the contrary, they heightned them by paſſing the Borders and putting to the Sword all ſuch as the Plague had ſpared : Nay, they were ſo barbarouſly vindictive, that they would frequently cut off the Heads of *Engliſhmen*, and by way of Diverſion toſs them too and fro with their Feet, as School-boys and Country People are wont to do with Foot Balls. When they had thus cleared the Country of Inhabitants, they proceeded to burning of Villages, and plundering of Houſes ; they left nothing that was portable behind them ; they drove away huge Flocks of Cattle and Sheep ; nay, and even Herds of Swine, with which 'tis obſerved, that till then they had never meddled. Nor had they the leaſt Fear of being themſelves infected with the contagious diſtemper, but arming themſelves with a Form of Prayer compoſed for the Purpoſe, went boldly on, and perpetrated all the Miſchief in their Power. The Form they are ſaid to have made uſe of, was this, *God and Saint* Mungo, *Saint* Romayn *and Saint* Andrew, *ſchield us this Day fro Goldis Grace, and the foule Death that* Engliſhmen *dien upon.* Indeed nothing can be imagined more inhumane than this Behaviour of the *Scots*, if *Walſingham* ſpeaks Truth : But *Walſingham*, as I have often evinced, is among the moſt paſſionate Authors of the *Engliſh* Nation ; and it is but reaſonable to think that in this Place he does not leſſen the Enormities of a People whom he hated ſo heartily, and ſo much endeavoured to render odious to the World. Had the *Scots*, in the midſt of a Truce, and without Provocation, ſo cruelly inſulted over the Calamities of their Neighbours, loud Complaints had certainly been made of them to their King, and probably an open War had enſued, whereas on the contrary I find that not long after, *viz.* in *March* 1380 (*a*) the King of *England* commanded his own Subjects to obſerve the Truce religiouſly. A Proof, I take it, that if a Breach was made, the *Engliſh* were not blameleſs. This is the more probable, becauſe it appears, that, notwithſtanding their Sovereign's Commands to the contrary, they were apt enough to catch at any Opportunity of endamaging the *Scots* : For about the ſame Time (*b*) the Inhabitants of *Hull* and *Newcaſtle* having fitted out a ſmall Fleet, with a Deſign, as they gave out, to clear their Coaſts of Pirates, perceived a *Scots* Veſſel at Sea, of which they made prize ; and a very valuable one it was, ſince her Loadning was valued at 7000 Merks *Sterling*. Upon this a ſharp Conteſt fell out between the Earl of *Northumberland* and the Seizers, the firſt laying Claim to the whole, or at leaſt to a Part of the Booty, as his due, and the laſt fiercely contending, that what was gained in this Manner belonged only to thoſe that had ſhared in the Danger of the Attempt. Neither could thoſe of *Newcaſtle* and *Hull* agree about the *Dividend* between themſelves, nor the *Scots* ſuffer their Merchants to be thus maltreated, in defiance of a ſolemn

Strange Havock made by the *Scots* in *England.*

A.D. 1380.

Succesful Incurſions made by the *Scots* upon *England.*

(*a*) Fœd. Angl. Tom. 7. p. 245, 246. (*b*) Walſing. p. 239.

Treaty, by which they had, as I ſhall afterwards ſhow, full Freedom to trade where they had a mind. Wherefore (*a*) they gathered together to the Number of about 20000 Men; and *Scots* Authors ſay, that the Earl of *Douglas* was at their Head. Being thus prepared for Action, they invaded *Weſtmorland* and *Cumberland*, killing, burning and plundering wherever they came, in ſo much that they were ſaid to have driven away no leſs than 40000 head of Cattle. Nor was this all, for from the Forreſt of *Ingelwood* they marched with great Secrecy to *Penreth*, where was then a great Fair and a vaſt Concourſe of People. They put ſome of the People to the Sword, and carried others away captive, together with all the Wealth of the Fair and Town. The Earl of *Northumberland*, who had ſuſtained great Damage by this Incurſion, was preparing to ask Satisfaction with his Sword in his Hand, when he received an Order from the King to forbear Hoſtilities, till the next March-day, which was a Day appointed for a Meeting of the Borderers on both Sides, in Order to adjuſt Matters and compoſe Differences. But what the Earl durſt not attempt, another did; for one *Talbot* a brave Officer, getting together an Army of 15000 Men, paſt over the *Solway* Frith, deſtroyed the adjacent Country with fire and Sword, and was marching Home with a great Booty, when not above 500 *Scots*, who had poſted themſelves in a convenient place for the deſign, ſallied out of it all on a ſudden, and with hideous Cries and ſhouts attacked the ſecure and improvident Enemy, with that Succeſs that they were immediately diſordered and put to the Flight. Many were killed in their Retreat, about 240 were made Priſoners, not a few, running with Precipitation into the River, were drowned, and their whole Booty was recovered.

Engliſh defeated by the *Scots*.

Theſe repeated Loſſes of the *Engliſh* made it ſeem neceſſary at Court either to make a vigorous War, or to fall upon Means of making the Truce more effectual. To compaſs one or the other of theſe Ends, King *Richard*'s Uncle *John* Duke of *Lancaſter*, and in Right of his Lady the Daughter of the late dethroned *Peter* ſirnamed the *Cruel*, titular King of *Caſtile* and *Leon*, was ſent to the Borders with a Plenipotentiary Power (*b*), and an Army ſufficient, ſays *Walſingham* (*c*), to reduce all *Scotland*. But, adds he, *The falſe and cunning* Scots, *not only deceived but mocked him.* He thought otherwiſe himſelf, and ſo did the Council of *England*, as I ſhall immediately ſhew. However, 'tis certain, that he entred into a Treaty (*d*) with the *Scots* Commiſſioners, who were *Walter* Biſhop of *Glaſgow*, *John* Biſhop of *Dunkeld*, *William* Earl of *Douglas*, *George* Earl of *March*, and *Archbald Douglas* Lord of *Galloway*. By this Treaty dated at *Berwick* the firſt of *November* 1380, the Truce was prolonged till St. *Andrew*'s Day, that is, the laſt of the ſame Month 1381,

John Duke of *Lancaſter* invades *Scotland* without Succeſs.

Truce renewed between *Scotland* and *England*.

(*a*) Walſing. p. 240. Buchan. p. 308. Boet. Fol. 329, (*b*) Fœd. Angl. Tom. 7. p. 268, 269, (*c*) p. 244. (*d*) Fœd. Angl. Tom. 7. p. 276, 277.

1381, during which time, it was agreed, that another Congreſs ſhould be held in order to the further Settlement of all Matters in Debate. This done, the *Engliſh* Army was disbanded, and their Authors (*a*) to this Day complain, that the Duke of *Lancaſter* expended 11000 Merks in this his inglorious Expedition: But moſt unjuſtly, ſince by King *Richard*'s ratifying the Treaty ſo very ſoon after (*b*), *viz.* on the firſt of *December* following, it is plain that what his Uncle had done was highly applauded; and the rather, becauſe in Purſuance of what he had done, there was another Meeting between him and John *Earl of* Carrick, *eldeſt Son of the moſt Serene Prince* Robert *by the Grace of God King of* Scotland (*c*) in *June* 1381, at *Abcheſter* upon *Ayton*. The Earl of *Carrick*, or thoſe appointed to attend him, urged, "That the grand Truce had been violated by "the *Engliſh* many ways, but more particularly that Article of it, "by which the *Scots* Merchants were allowed to trade in *England* "with all Freedom, as in Time of Peace. This they offered to "prove by a Jury of an equal Number of Perſons of both King- "doms of equal Quality, to be nominated for that Purpoſe by "their reſpective Sovereigns. *The* Engliſh *denied the Breach of that Article, and ſaid*, "That had there been any ſuch Breach com- "mitted, the Truth of the Fact could not be tried in that Man- "ner, which was unuſual, and derogatory to the Rights of Sove- "reignty; *but propoſed* that ſome foreign Prince might be made Um- "pire between the two Kings. *To this the* Scots *would by no means agree*: "For, *ſaid they*, ſince Kings have no Superiors, 'tis but "juſt that they ſhould refer the Deciſion of their Differences to "Inferiors, Men of Honour and Probity, and ſuch as can never "derive any Title or Pretenſion from thence: Whereas, ſhould "a foreign Prince be appointed Umpire on ſuch Occaſions, he "might afterwards pretend a Right to Superiority, an Inconve- "nience indeed not to be much dreaded by the Kings of *England*, "becauſe of their great Power and large Territories; but ſuch as "they of *Scotland* muſt take care to avoid. Neither is it eaſy to "pitch upon a foreign Prince equally agreeable to both Parties; and "ſhould ſuch an one be found as neither the King of *Scotland* nor "the King of *England* could diſtruſt, yet to refer Matters to him, "were but to put off Time, and to give both to him and our- "ſelves an expenſive Trouble. Beſides, *added they*, this way of "doing Buſineſs is unprecedented, and 'tis diſhonourable to go a "begging the Suffrages of other Nations, as if we our ſelves were "deſtitute of Prudence to know our own Affairs, or were Stran- "gers to Right and Juſtice." This is the Subſtance of what is contained in the valuable Record which I have cited: But from thence we may conclude, that the *Scots*, whatever *Engliſh* Authors have ſaid to the contrary, were neither barbarous nor Truce-

A.D. 1381.

A remarkable Conference between *John* Earl of *Carrick* and *John* Duke of *Lancaſter*.

(*a*) Walſing. loc. cit. Tyrrel Vol. 3. p. 856. (*b*) Fœd. Angl. Tom. 7. p. 278. (*c*) Ib. p. 312, 313, 314, &c.

breakers in thoſe Days; nay, it ſeems, that all their Inroads, Devaſtations and Slaughters were but Effects of the Injuſtice and Provocation they met with. What they failed in, was in the payment of the Remainder ſtill due for King *David*'s Ranſom, and no Doubt, the Reaſons they gave for their Deficiency in that Reſpect were founded upon thoſe Breaches of the Truce they ſo much inſiſted upon. However, at this Time a narrow Enquiry into thoſe Breaches was delayed, and on the other hand the Duke of *Lancaſter* obliged himſelf that no Part of the Ranſom ſtill owing, (and no leſs than 25000 Merks were owing) ſhould be craved or exacted till *Candlemaſs* 1383, when the Truce they agreed to was to expire.

What induced the *Scots* to acquieſce in theſe Terms, I believe, was the Plague, which 'tis ſaid they brought home with them (*a*) the laſt Year from the Fair of *Penreth*, and which for two Years raged ſo violently, that it ſwept away near a third Part of the People. The *Engliſh* had a Motive no leſs preſſing; for their own Country was all in a Flame; and the Reaſon was this. The levelling Doctrine of *Wicleff* had been for ſome Time in great Vogue among the common People, who were taught, (*b*) "That "God himſelf could grant to no Man a perpetual Dominion in "Matters Civil; that hereditary and perpetual Dominions were "Things impoſſible; that Subjects refuſing to give any Part of "their temporal Goods, ought not therefore to be excommuni-"cated, *&c.* Others improved theſe Maxims to Diſtraction and Fury, particularly (*c*) one *John Balle* a ſeditious Prieſt, who excited the Rabble to all Manner of Licentiouſneſs, by telling them, "That all Men were of one Condition, that Servitude was in-"troduced by the Oppreſſion of wicked Men, contrary to the "Will of God; and that it was high Time to aſſert the Rights "of Nature, and to ſhake off the Yoke of Slavery." Diſcourſes of this Nature were the more taking, becauſe, to ſay the Truth, the Kingdom was miſerably impoveriſhed by a War of ſo long continuance, towards the carrying on of which ſo much Treaſure and Wealth had been gloriouſly at firſt, but, as it appeared by the Event, fruitleſly expended. 'Tis true, that while nothing was talked of in *England*, but of Battles won, Towns taken, Kingdoms and Provinces over-run, the Subjects being overjoyed with the pleaſing News, and amuſed with the Hopes that each Campaign would complete the Conqueſt of *France*, or Subjection of *Scotland*, gave without grudging whatever Subſidies the Sovereign asked, or Parliament impoſed upon them; there was never a Mechanick in Town, nor Peaſant in the Country, but fancied that he had vanquiſhed at *Creſſy*, and led the Kings of *Scotland* and *France* Captives to *London*. This Notion, vain as it was, was worth Millions to the

Diſtractions in *England*, from whence they proceeded.

(*a*) Buchan. Boet. loc. cit. (*b*) Walſing. p. 204, 205. (*c*) Tyrrel, p. 857, 858, &c. Walſing. p. 147, 148, &c. Echard, p. 385, 386, &c.

the governing Part of the Nation, but when Victory began to ſhift Sides, and neither the Sound of rejoicing Bells was heard, nor boaſting Illuminations ſeen in the Streets, then Grudges and Murmurs aroſe, but at firſt to no great Height; for the People reſpected in old aged King *Edward* the Memory of the Heroe who had charmed them when young, but they had not the ſame Regard for his Succeſſor, tho the Son of a greater Heroe than he. They ſaw that Taxes were multiplied in proportion to the Length of the War, and ſince the War produced no more thoſe great Events that had formerly made them inſenſible of its Weight, they refuſed to contribute what they could not conveniently ſpare, the rather, becauſe the Treaſure of *England* had been exhauſted in the Maintenance of their own Armies, and in anſwering the exorbitant Demands of their Allies; and being by a late Impoſition (indeed a very ſevere one it was) irritated to the higheſt Degree, and at the ſame time puſhed on by the rebellious Maxims of their inſolent Leaders, they betook themſelves to Arms, and in a ſhort time above 100000 Peaſants and *Villains* or Bondmen were ſeen in the Fields. They marched ſtraight to *London*, inſulted the King, entred the Tower, murdered the Archbiſhop of *Canterbury* and the Lord High Treaſurer, cut off the Heads of all the Lawyers they could meet with, declaring thoſe of that Employment unworthy to live, burnt the Temple becauſe their Abode, together with their Books, Papers, Records, *&c.* and laid the *Savoy*, then the Duke of *Lancaſter*'s Palace, after the ſame Manner in Aſhes, deſtroying all the rich Furniture, and throwing his Gold and Jewels into the *Thames*. They gave many other Teſtimonies of their implacable Malice againſt the Duke of *Lancaſter*, but he was (happily for the Preſervation of his Perſon) in *Scotland* at the time, where he wiſely concluded the Truce before the *Scots* had full Intelligence of the Troubles in *England*. So ſay *Engliſh* Authors (*a*), who alſo add, that the *Scots* were ſorry that this Truce had hindred them from great Advantages in *England*. *Scots* (*b*) Authors on the contrary aſſert, that their Countrymen had Advice of the Troubles in *England* from their firſt Beginning, and that the Earl of *Douglas* told ſo much to the Duke of *Lancaſter*, which is the more probable, becauſe we know (*c*) that they began in *May*, and the Treaty was not concluded (*d*) till the 18th of *June*. However it is certain, that the *Scots* were extremely civil to the Duke of *Lancaſter* upon this Occaſion (*e*); for underſtanding that not only the Commons, but alſo ſome *Engliſh* Peers had formed Deſigns againſt him, they freely offered him 20000 Men to defend his Honour and depreſs his Enemies. He had the Honeſty to refuſe their Offer, but asked Liberty to reſide ſome time among them: Upon which the King ſent him a Safe-conduct, and he went to

Duke of *Lancaſter* much obliged to the Civility of the *Scots*.

(*a*) Vid. Walſingh. p. 279. (*b*) Buchan. p. 309. (*c*) Tyrrel Vol. 3. p. 856. (*d*) Fœd. Angl. Tom. VII. p. 312, 313, &c. (*e*) Echard p. 389. Walſingh. loc. cit.

dinburgh, where he was entertained with all the Marks of Civility and Hoſpitality, till the Storm blew over, and he found it time to return to the *Engliſh* Court.

A. D. 1382. The King his Nephew received him kindly, and failed not to ratify the Truce which he had made (*a*), commanding expreſly that the *Scots* Merchants ſhould not be moleſted in their Trade: Nay, he was ſo careful to prevent any Occaſion of Offence to the King (*b*) or Kingdom of *Scotland*, that he ordered the *Scots* Students at *Oxford* to be tolerated, notwithſtanding they openly adhered to the Anti-Pope *Robert*, as he calls him, in oppoſition to the true Pope *Urban*. But, it ſeems that the *Scots* Borderers did not obſerve this laſt Truce ſo religiouſly as the *Engliſh*; for I find, that, when in *July* 1383 (*c*), the Earl of *Carrick* and Duke of *Lancaſter*, in purſuance of the former Agreement, met again at *Morehouſelaw*, it was agreed, that the Damages lately done to the Caſtle of *Werk*, and other Places in *England*, ſhould be repaired by the *Scots*; as alſo, that if the King of *Scotland* had a mind to conclude a final Peace, he ſhould advertiſe the King of *England* of his Intentions once in *Auguſt* at *Roxburgh*; and that in the ſame manner the King of *England* ſhould, about the Nativity of our bleſſed Lady, ſend to *Melroſs* to acquaint the King of *Scotland* at what time he was to hold his Parliament, that *Scots* Ambaſſadors might aſſiſt at it, in caſe both Sovereigns were inclinable to a Treaty of Peace. How the King of *England* was diſpoſed in this reſpect, I cannot tell; but it is certain, that King *Robert* was by this time almoſt determined to renew the War.

Engliſh court the *Scots*.

Scots break the Truce.

A. D. 1383.

Second interview between the E. of *Carrick* and Duke of *Lancaſter*.

League renewed between *Robert* II. of *Scotland* and *Charles* VI. of *France*.

Upon the Death of *Charles* V. King of *France*, which fell out the preceeding Year, he had ſent the Biſhop of *Glaſgow* in the Quality of Ambaſſador to *Paris*, to congratulate *Charles* VI. his Son upon his Acceſſion to the Throne, and to deſire that he would ſwear to the punctual Obſervation of the Ancient League, which had been ſome Years before renewed by his Father. Accordingly the new King of *France* (*d*) took the uſual Oath on the 8th of *April*; and being told by ſome *French* Gentlemen, who (*e*) had witneſſed the Aſcendant which the *Scots* had, ever ſince King *Robert's* Acceſſion to the Throne, got over the *Engliſh*, that theſe laſt did not fight ſo gallantly at home as abroad, he reſolved to attack them within the Iſland; and with this View perfected the Treaty which had been long before drawn out into Form, but not finally agreed to by his Father and King *Robert*, that is (*f*), he obliged himſelf, in caſe of an open War between *Scotland* and *England*, to ſend to, and entertain at his Charges in *Scotland* 1000 good Men at Arms, Knights and Eſquires; as alſo, to tranſmit 1000 Stand of Arms for the Uſe of 1000 *Scots* Gentlemen, and 40000 *Francs* of Gold to be diſtributed and employed by 3 *Scots* and 3 *French* Knights.

A new and remarkable Treaty between *Robert* II. of *Scotland* and *Charles* VI. of *France*.

King

(*a*) Fœd. Angl. Tom. VII. p. 344. (*b*) Ib. p. 371. (*c*) Ib. p. 403 404. (*d*) Ib. p. 391. (*e*) Traitez d'entre les Roys, p. 305. (*f*) Ib. and Fœd. Angl. Tom. VII. p. 391.

King *Robert*, with Advice of his Council, declared himſelf willing to accept of theſe Terms, and ſwore to obſerve them on his part at *Edinburgh* the 20th of *Auguſt*. Not long after this, King *Richard* (whether he was acquainted or no with what was deſigning againſt him, I know not,) thought fit to call for the 24000 Merks (*a*) ſtill due to him upon the Score of King *David*'s Ranſom: But in vain (*b*); for the Truce no ſooner expired (*c*), but the *Scots* under the Conduct of the Earls of *Douglas* and *March*, beſieged and took the Caſtle of *Lochmaben*, and this laſt had alſo the good Luck to fall upon and make himſelf Maſter of a rich Convoy which was on the Road from *England* to *Roxburgh*. Thus the War being fairly commenced, King *Richard* (*d*) gave Inſtructions and Money to his Uncle the Duke of *Lancaſter*, not only for preſerving the Borders and providing *Roxburgh* and *Berwick* with all Neceſſaries, but alſo for invading the Kingdom of *Scotland* it ſelf. That Prince and his Brother the Earl of *Buckingham* (*e*), at the Head of an Army almoſt innumerable, ſays *Walſingham*, paſt the Borders about *Eaſter*, and marched ſtraight to *Edinburgh*, which the Duke might have reduced to Aſhes, but being mindful of the kind Entertainment he formerly got there, generouſly ſpared it. For this piece of Gratitude *Engliſh* Authors blame him extremely. They add, that the *Scots* kept wiſely themſelves and their beſt Effects out of his Way, not doubting, but that in that Seaſon of the Year, and in thoſe Places through which they marched, Hunger and Cold would be more hurtful to them than the Sword, tho a great many were alſo cut off, and ſome made Priſoners, by the brisk Onſets of the *Scots*, who both followed them in the Rear as they retreated, and when they were gone, invaded *England* in their Turn, burnt ſeveral Villages, and did more Dammage to the Enemy's Country than they had received in their own. The valiant *William* Earl of *Douglas*, who commanded in chief the *Scots* Army, died ſoon after this Expedition, and was ſucceeded in his Honours and Fortune, not by *William*, as *Buchanan* has it, but by *James* his Son, a Gentleman in all Reſpects worthy of ſuch a Father.

A.D. 1384.

Open War between *Scotland* and *England*.

Invaſions made on both Sides.

D. of *Lancaſter*'s Gratitude.

Buchanan miſtaken.

In the mean time a Peace (*f*) was negotiating at *Lelinghen*, between *Bologne* and *Calais*; and a Truce was ſoon after concluded, in which the *Scots* were compriſed. The Duke of *Burgundy* undertook to acquaint King *Robert* with it, but he was a little remiſs, which gave Occaſion to the Earls of *Northumberland* and *Nottingham*, with 10000 Horſe and 6000 Archers, to invade and lay waſte ſome of the South Parts of *Scotland*; which done, they pretended Ignorance of the Treaty. But King *Robert* would hear of no ſuch Excuſe; he threatned, and his Nobles, particularly the *Dunbars*, *Lindſays* and *Douglaſſes* ſought and got Revenge. They entred *Eng-*

Truce concluded at *Lelinghen*, *Ayton* and *Bologne*.

(*a*) Fœd. Angl. Tom. VII. p. 415, 416. (*b*) Ib. p. 431, 434. (*c*) Buchan. p. 309, 310. (*d*) Fœd. Angl. Tom. VII. p. 425. (*e*) Buchan. loc. cit. Walſingh. p. 308. Tyrrel Vol. 3. p. 881. (*f*) Buchan. p. 311.

land with about 15000 Horſe, and ravaged the whole Country as far as *Newcaſtle*, and from thence returned with a great Booty. Yet did not this hinder the Effect of the Treaty, which, being afterwards agreed to by Commiſſioners on both ſides, who met at *Ayton* for the purpoſe (*a*), was ratified by King *Richard* on the 26th of *July*. But this Truce being to laſt but a ſhort time, a ſecond Congreſs was held at *Bologne* (*b*), where Ambaſſadors for all the Potentates concerned in the War met in *September* following, and prolonged it till the firſt of *May* 1385. The Commiſſioners named by King *Robert*, were *Walter Wardlaw* Biſhop of *Glaſgow* and Cardinal of the *Holy See*, and *John* Biſhop of *Dunkeld*. But

Ill obſerved by the *Scots*.

This laſt Truce was, it ſeems, as ill obſerved by the *Scots*, as the former had been by the *Engliſh*; for I find (*c*), that in *February* 1385, near 3 Months before it was to expire, King *Richard* granted a Remiſſion to the Earl of *Northumberland* for all the Crimes that could be laid to his Charge, particularly with reference to his Office of Governour of the Caſtle of *Berwick*; "Which, adds he, "tho it has been twice taken by his Enemies the *Scots* ſince he "came to the Throne, yet is now again recovered by the Earl of "*Northumberland*, to whoſe Negligence the Loſs of it cannot in "Juſtice be imputed." From thence it appears, that the Caſtle of *Berwick* muſt needs have been taken and retaken while the Truce ſubſiſted, and probably towards the End of this ſame Year 1384: After what manner *Scots* Authors do not relate, but the *Engliſh* tell us (*d*), that it was ſold by the Deputy Governour, which to me ſeems not probable: I ever find the *Scots* more inclinable to take Fortreſſes by open Force or hidden Stratagem, than to buy them with Money. However it was, the ungrateful News of the Loſs of ſo important a Frontier was no ſooner carried to the *Engliſh* Court and Parliament, which was then ſitting, but the Earl of *Northumberland*, tho abſent, was by his Enemies impeached, and, ſome ſay, found guilty of High Treaſon. Upon this the Earl made haſte to retrieve his Honour, and to merit the Remiſſion which he afterwards obtained. He raiſed a conſiderable Army and laid cloſe Siege to the Caſtle; but it being now the Depth of Winter was not like to win it by Force: He therefore offered Gold, and the Garriſon accepted of 2000 Merks, upon payment of which they gave up the Place. So ſay my Vouchers, how truly I cannot tell. But

Berwick taken and retaken a ſecond time.

A. D. 1385.

To make amends for this Breach of Faith, and to concert Meaſures for preventing the like in Time to come, *Henry Percy* Earl of *Northumberland* and *Archbald Douglas* Lord of *Galloway* met (*e*) near *Salom* on the River of *Esk* in *March* 1385. They prolonged the Truce till the firſt of *July* 1386, before which Time they agreed to meet again, in Order to remove all Differences. The

Politick Treaty between the Guardians of the *Scots* and *Engliſh* Marches.

Earl

(*a*) Fœd. Angl. Tom. VII. p 434. (*b*) Ib. p. 438, 444. Traitez d'entre loc. cit. (*c*) Fœd Angl. Tom. VII. p. 463. (*d*) Walſingh. p. 311. Tyrrel Vol. 3. p. 883. (*e*) Fœd. Angl. Tom. VII. p. 468, 469.

Earl of *Northumberland* undertook for himſelf and thoſe within his Bounds, as alſo for the Lord *Neville* and his Bounds; in the like Manner the Lord *Archbald Douglas* undertook for himſelf and the Earl of *Douglas*, ſo that this Tranſaction was but a private Compact between the Borderers themſelves, and ſuch as was not at all binding upon the reſpective Sovereigns of both Nations. Perhaps the Lord *Archbald* made it on Purpoſe to amuſe the Court of *England* with vain Hopes of a Calm, when in Reality a terrible Storm was gathering, and juſt ready to break out. No leſs than the Conqueſt of *England* was deſigned; and had the King of *France* been able to effect what he intended, I mean, had he made a Deſcent in the South, while the *Scots* invaded the North of *England*, God only knows what would have been the Event: But an unforſeen Inſurrection (*a*) of the *Fleemings*, ever averſe to the *French* Yoke, cut out Work for his Forces at Home; and *England* and *Scotland* were left to purſue their Quarrels by themſelves. Indeed the *Scots* were now more powerfully than ever aſſiſted by *France*: For, in Purſuance of the late Treaty which I have mentioned, *John* de *Vienne* Admiral of *France* arrived in *Scotland* in the Month of *May*, and brought along with him the Men, Arms and Money promiſed by Contract. The Money amounted to 50000 *Livres* of Gold, that is, as I am informed, *French* Crowns, (a great Sum in thoſe Days,) for which King *Robert* (*b*) granted his Diſcharge or Acquittance on the 16th of *November*; and it may not be amiſs to acquaint my Reader to what uſe it was applied, that is, among whom it was diſtributed. The King himſelf (*c*) received 10000 *Liv.* the Cardinal Biſhop of *Glaſgow* 6000; the Earl of *Carrick* the King's eldeſt Son 5500; his ſecond Son the Earl of *Fife* 3000; his Couſin the Earl of *Douglas* 7500; the Earl of *March* 4000; the Earl of *Murray* 1000; *Archbald Douglas* Lord of *Galloway* 5500; *James Lindſay* 2000; *David Lindſay* 500; *Malcolm Drummond* 400; *Thomas Hay* 400; *William Kierby* 700; *Henry Douglas* 300; *John Johnſton* 300; *William Stewart* 100; *Henry Preſton* Knight 60; *Thomas Erskine* 500; *William Lindſay* 500; *William Cuningham* 500; *Robert Grant* Eſquire 40; Maſter *Mace Glandaublin* 60; *John Gray* 10; the Remainder was given by equal Proportions to *John Blaiſſy*, *Girart* de *Bourbon*, *Euſtace Bondenay*, *John* de *Fountaines*, and *Michael de la Foſſe*, all *French* Knights much in Favour with the Admiral, who had appointed them to give out and overſee the Diſtribution of the Money. In fine, the King, to gratify the Admiral himſelf, and to buy Horſes for his own Troop of *Gens d'Armes* in Place of thoſe they had loſt at Sea, allowed him 6000 *Liv.* And thus both the *Scots* and *French* were encouraged to enter upon Action with the greater Alacrity. Nor was King *Richard* on the other hand either tardy or unſucceſful in his Preparations. This was

War renewed.

Succours arrive from *France*.

French Money how much, and how diſpoſed of in *Scotland*.

Richard II. King of *England* invades *Scotland* with an innumerable Army.

(*a*) Walſing. p. 316, 317. Tyrrel, Vol. 3. p. 884, 885. Echard. p. 392. Buchan. p. 412. Boet, Fol. 331. Holinſh p. 316. (*b*) Fœd. Angl. Tom. 7. p. 484, 485. (*c*) Ibid.

was the firſt Campaign he had made in Perſon, and being deſirous to make the greateſt Figure he poſſibly could, he not only ſummoned all that were obliged, but alſo thoſe that were not, to attend him; in ſo much that, (if we may believe *Walſingham*, and why we ſhould not in this Caſe, I ſee no Reaſon) his Army conſiſted of no leſs than 300000 Horſe, and was in all Reſpects ſuch as the like had never been ſeen in this Iſland. Indeed it was but too numerous, and therefore unweildy, and liable to what fell out, want of Proviſions and other neceſſaries. It was not to be ſuppoſed that the *Scots* would come to a general Engagement with ſuch a Power. 'Tis true that the Admiral of *France*, being more mindful of the Inſtructions which the King his Maſter had given him at parting, than ſollicitous about the more immediate Concerns and Intereſt of *Scotland*, very much urged that the *Scots* Generals would run the Risque of a Battle. The Earl of *Douglas* told him again and again, "That the *Scots* neither wanted Courage to defend their "own Country, nor Inclination to oblige the King of *France*; but "that a Battle loſt was of dreadful Conſequence; and that conſi-
Loſes many Men. "dering the vaſt Diſproportion of the Forces on both ſides, it was "Madneſs to hope for a Victory". To convince him of this, he conducted him privately to an Eminence, from whence he could view that innumerable Multitude of Men and Horſe, under whoſe Weight the very Earth ſeemed to ſink. The Admiral being thus convinced by the Teſtimony of his own Eyes, entred into the Sentiments of the Earl, and both contented themſelves with doing what was poſſible for their Numbers to do; that is, they retired to fit Places from whence they would often ſally out, and all on a ſudden attack the ſuperior Enemy, ſometimes on the Flank, ſometimes on the Rear or Front, as Occaſion offered. By this Means *Walſingham* acknowledges that they killed and took a great many Priſoners: At length they gave over fighting even in that Manner, for what Reaſon I ſhall preſently relate. And now, (it was in the Month of *Auguſt*) the *Engliſh* Army advanced without Moleſtation, but were obliged to march through a Country which the Inhabitants had previouſly abandoned, and where nothing was to be ſeen but deſolate Houſes, ſolitary Woods, green Fields and a fair Appearance of a plentiful Harveſt; as for the Houſes and Woods the Enemy ſet them on Fire, and their Horſes deſtroyed the Graſs and Corn. The Abbacy of *Melroſs* and Town of *Edin-*
Burns *Edinburgh* and *Melroſs*. *burgh* were laid in Aſhes, but to the Enemies Coſt, for beſides that they got nothing by their Cruelty, (the Inhabitants having withdrawn their Families and Effects to impregnable Faſtneſſes) great Numbers of them periſhed for want of the Neceſſaries of Life, and many more had undergone the ſame Fate, had they not been in ſome Meaſure ſupplied by their Fleet, which kept always within their View. In the mean Time the *Scots*, under the Conduct of the Earls of *Fife*, *March* and *Douglas*, found Means

to

to get by them, entred the Weſt Marches, burnt *Penreth*, plundered the Country as far as *Newcaſtle*, took and demoliſhed the Fortreſſes of *Werk*, *Ford* and *Cornwall*, carried off a great many Priſoners, and inſulted *Carliſle*. This and the other Inconveniencies under which the Army of King *Richard* laboured, obliged that Monarch to return to the Defence of his own Territories; and the *Scots* hearing of his March, thought fit to retire before he could come up with them, but carried more out of *England*, than King *Richard* with his dreadful Army could do out of *Scotland*, tho he had the Plunder of the Capital City of the Kingdom into the Bargain. *Upon ſuch unequal Terms muſt a Richer Nation make War with a Poorer as Warlike as themſelves.* So we are told both by Mr. *Tyrrel* and Mr. *Echard*. But theſe Gentlemen do not advert that *Edinburgh* was not then, to ſpeak properly, the Capital of the Kingdom; it was but a ſmall Burgh, or rather, as *Walſingham*(*a*) and the Records of thoſe Times call it, a Village, the Houſes of which, becauſe they were ſo often expoſed to Incurſions from *England*, being thatcht for the moſt part with Straw and Turf, and when burnt or demoliſhed were with no great Difficulty repaired. What was valuable in or about it, was its fine Abbey and ſtately Caſtle: But as the former was generally protected by the Devotion of thoſe Times; ſo the latter could not be taken but by Treachery or Stratagem. The Strength of the Caſtle, the Conveniency of the Abbey, the Fruitfulneſs of the adjacent Country, and its no great Diſtance from the Borders, made after-Kings chuſe to reſide for the moſt Part, to hold their Parliaments, and keep their Courts of Juſtice in this Place: From thence proceeded the great Concourſe of People that were of Courſe obliged to reſort to it, and from thence thoſe magnificent and indeed but too lofty Structures with which that populous City has ſince been crowded. But as it lay not very far from the Enemy, and by Conſequence fell often into their Hands, ſo the taking of it was, till of late, a Matter of no great Importance. Our Kings of old had no fixed Reſidence; they kept their Courts in different Places, as differing Circumſtances required, and, like the travelling Sun, viſited by Turns all Parts of the Kingdom; but, to guard the Nation from Surprizes, dwelt for the moſt Part in the Neighbourhood of *England*. So we ſee that King *David* I. kept frequently his Court at *Carliſle*, the two laſt *Alexanders* at *Roxburgh*, King *Robert* I. at *Berwick*, and his Succeſſors at *Edinburgh*; tho I have many Reaſons to think, that, as *Perth* or St. *Johnſton* is ſituated in the Centre of the Kingdom, ſo it was the moſt ordinary Reſidence of the Kings, and by Conſequence the Capital. But to break off this Digreſſion.

The *Scots* invade *England* with great Succeſs.

Edinburgh no great City, nor thought the Capital of *Scotland* till of late.

After the *Scots* and their *French* Auxiliaries had enriched themſelves with the Spoils of the North of *England*, and were returned to *Scotland*, they nevertheleſs did not think fit (ſay ſome Au-

(a) p. 308.

thors) to finiſh the Campaign, till they had made ſome Conqueſt worth the keeping. With this View they inveſted *Roxburgh*, and had undoubtedly taken it, had not the *Scots* and *French*, tho of all Men (*a*) in the World the moſt like to one another, and ever, but at this Time, intimate Friends and hearty Comrads, unluckily quarrelled, for what is uncertain. *Scots* Authors tell us that the latter would needs poſſeſs the Place when win, in the Name, and for the Uſe of their own Sovereign the King of *France*; which to me ſeems highly improbable. Nor do I think that they durſt be anſwerable to their own Maſter for ſuch a Piece of Preſumption and Arrogance. *Roxburgh* belonged properly to *Scotland*, and had it been otherwiſe, I mean, had it been a Part of the Kingdom of *England*, 'tis manifeſt that 2000 Auxiliaries could with no Reaſon lay claim to ſuch Conqueſts as *Scotland*, or a vaſt Majority of *Scots* Forces might make in Territories contiguous to their own. If then the *French* pretended to any ſuch Thing, they did it, I believe, in order to have a ſtrong Hold ſequeſtrated into their Hands during the War, wherein they might have Quarters apart by themſelves: For it is certain that they and the *Scots* did not agree when mixt together; whether by reaſon of the Barbarity of theſe, as ſome *French* Authors have aſſerted, or of the licentiouſneſs of thoſe, as *Buchanan* and others more probably relate, I do not determine; but their falling out, from whatever Cauſe it proceeded, leads me naturally to think, that the *French* did neither beſiege *Roxburgh*, nor return to *France* this Year, as *Buchanan* and *Holinſhed* inſinuate, much leſs within 3 Months after their Arrival in *Scotland*, (as *John Major* (*b*) has it,) in ſo ſhort a Time, and ſo buſily, nay ſo triumphantly employed: 'Tis not likely that their mutual Diſguſts could have riſen to ſuch a Height. *Boethius*, (tho, as all *Scots* Hiſtorians, often guilty of miſplacing the moſt remarkable Tranſactions, and in particular the late Invaſion made by King *Richard*, yet) tells us plainly (*c*) that the *French*, under the Command of their Admiral ſtaid all Winter in *Scotland*. I believe he is in the right, and that in their Winter Quarters they quarrelled with their Landlords, the rather becauſe 'tis probable, that (the South Coaſt of *Scotland* being ſo lately over-run) their Entertainment was but coarſe, and their Complaints or Reſentment vexatious. However, the next Spring (I return to the Accounts given us by *Boethius*) the Admiral of *France* brought his Men into the Fields, and marched them ſtraight to the Weſt Marches, where being joined by *Archibald Douglas* Lord of *Galloway*, and a good Body of Men under his Conduct, their united Forces paſſed over *Solway* Sands, and ſo entring into *Cumberland*, firſt ravaged the Country, then ſat down before *Carliſle*: But the King, being more deſirous to recover his own, than to conquer the Places belonging to the Enemy, recalled them from thence, and ordered them to ſet about the Reduction

The *Scots* and *French* diſagree.

Buchanan miſtaken.

A.D. 1386.

The *Scots* and *French* invade *England*.

(*a*) See Barclay's Icon Animorum. (*b*) Fol. 115. (*c*) Fol. 321. lin. 1.

on of *Roxburgh*. Here the Animoſities of the *French* and *Scots* broke out to the Ruin of the Deſign in Hand, and not long after the former returned to their own Country: Only their Admiral remained till he had compenſated the Damages done and Debts contracted by his Countrymen; for ſo the *Scots* Populace and Army would have it, elſe they threatned to hinder their Embarkation. It is this the *French* Authors exclaim againſt and aſcribe to the Barbarity of the *Scots* Nation; but the King of *France* thought otherwiſe, as appears by the cloſe Correſpondence which he continued to keep with the King of *Scotland*, and the many good Offices they did to one another: For tho they altered their Meaſures, yet they changed not their Reſolution to bring the common Enemy of both Kingdoms to Reaſon. With this View the *Scots* (notwithſtanding the *French* were gone) continued in *England*, forraging, plundering, and compounding for the Priſoners they made, and the Towns which they ſpared, a conſiderable Time; till at length, an Overture towards a Ceſſation of Arms being made (*a*), the Earls of *Douglas* and *March* had an Interview with the Lord *Neville*, and on the 27th of *June* agreed to a Truce, which was to laſt till the laſt of *May* 1387; as alſo that during this Time Plenipotentiaries on both ſides ſhould be appointed to meet, in order (ſays the Record) to conclude a long Truce or perpetual Peace. But they did not meet, or if they did, it was to no Purpoſe; For

Beſiege *Roxburgh*.

The *French* return to their own Country.

The *Scots* alone continue the War.

Agree to a ſhort Truce.

The Truce did no ſooner determine, but (*b*) the Earls of *Fife* and *Douglas* accompanied with the Flower of the Nobility and Gentry of the Kingdom, entred *England* at the head of an Army of 3000 Men, penetrated as far as *Cockermouth*, and, after having without any conſiderable Oppoſition, ravaged *Northumberland* & *Weſtmorland*, returned to their own Country. What Oppoſition they met with was made to *William Douglas* Son to the Lord *Archbald*. That Gentleman the handſomeſt, ſtrongeſt, and if not the moſt gallant, at leaſt among the moſt gallant of his Age, with 800 *Scots* fought and defeated 3000 *Engliſh*, of whom 200 were ſlain on the Spot, and 500 made Priſoners of War.

A D. 1387. Renew the War.

Invade *England* ſucceſsfully.

Engliſh defeated by *William Douglas*.

In the Beginning of the next Year he obtained the King's Permiſſion to make a Deſcent upon *Ireland*, in order to retaliate the ſeveral Robberies and Piracies which the *Iriſh* had of late committed on the Coaſts of *Galloway*. He was ſo ſucceſsful in this Expedition, that in a very ſhort Time he defeated the united Inhabitants of *Dundalk* and *Carlingford*, took, plundered and burnt the latter, ſeized upon 15 Ships that lay in the Harbour, and having loaded them with the Spoils of the Town, ſet ſail for the Iſle of *Man*, which he alſo laid waſte, and ſo arrived at *Loch Rian*. From thence he poſted away to his Father, who with other *Scots* Worthies this Year laid waſte the whole North of *England* almoſt to the very Gates of *York*, (if we may give

A.D. 1388.

William Douglas invades *Ireland* and the Iſle of *Man* with great Succeſs.

The *Scots* lay *England* waſte to the gates of *York*.

(*a*) Fœd. Angl. Tom. 7. p. 526. (*b*) Holinſhed, p. 361. Boet. Fol. 331. Joan. Maj. Fol. 115.

Gains the Battle of *Otterburn.* Credit to King *Richard*'s own Words) (*a*) and gained the famous Battle of *Otterburn*; a Battle in all its Circumſtances ſo memorable, that (according to *Froiſſard* (*b*), a very good Judge) the like is not to be read of in Hiſtory, whether with Reſpect to the valour of the Chiftains, or to that of the Soldiers on both ſides. I ſhall give an Account of it at large when I come to write the Life of *James* Earl of *Douglas* the Leader of the Army, and the principal Author of the Victory. That young Heroe died in the Field of Battle: His Death, tho very much regretted, had been much more ſo, had he not been ſucceeded by a Brother (*Archbald* the *Grim*) like to himſelf and the illuſtrious Stock from which they deſcended. But on the other hand, his Rival in Glory, the Lord *Henry Percy* with his Brother and a great many more were made Priſoners and brought into *Scotland*. This occaſioned the King of *England* to appoint another Guardian, or, which is the ſame thing, Warden of the Marches in his Room; and the Perſon he pitched upon (*c*) A.D. 1389. was *Thomas Moubray* Marſhal of *England*, a Man fiercer in his Words than Actions. He undervalued the *Scots*, and hectored the *Engliſh*, making himſelf thereby equally odious to both.

Robert Earl of *Fife* invades *England* with Succeſs. The Earl of *Fife*, who, by reaſon of his Father's old Age and Brother's Indiſpoſition, was now the moſt active in the Management of all Affairs Civil and Military, hearing of the Earl Marſhal's Bravadoes, reſolved, if poſſible, to affront him, and at the ſame time to raiſe his own Reputation. With this View he levied an Army early in the Spring, paſt the Borders, marched ſtraight to the Enemy, and when he came in ſight of them, ſent a Trumpeter or Herauld to the Marſhal to offer him Battle. The Marſhal made Anſwer, that he had no Orders to expoſe the King his Maſter's Subjects, but that, if the *Scots* were ſo fond of fighting, they might attack him where he was. But that was impracticable by reaſon of the Faſtneſſes to which he had retired; for which Reaſon the Army fell a plundering the Enemy's Country, and after having enriched themſelves with Booty, returned as it were in Triumph to their own. So ſay *Scots* Authors, but *Walſingham*, more favourable to the Marſhal, excuſes him by reaſon of the inequality of the Numbers of his Army, who, ſays he very improbably, were but 500 to 30000. All this while the War had been carried on in *Flanders*, *France*, *Spain* and *Portugal* with various Events, but foreign to my Purpoſe; and now the contending Parties being deſirous of ſome Reſpite after ſo much Labour and Bloodſhed,

The *Engliſh* decline to fight.

A 3 Years Truce agreed to at *Lelinghen.* were prevailed with to name their reſpective Plenipotentiaries in order to a Treaty (*d*). They of *England* were ſent to *Calais*, and they of *France* to *Bologne*; but they held their Conferences in the Church of *Lelinghen*, which lies between theſe Towns, where, on the 19th of *June* 1389, they agreed to a Truce, not of one Year,

as

(*a*) Fœd. Angl. Tom. 7. 594. (*b*) Vol. 3. Cap. 123, 124. (*c*) Boet. Fol. 334. Buchan. 322, 323. Joan. Maj. Fol. 120, 121. Walſing. p. 336. (*d*) Traitez d'entre les Roys, p. 307, 308. Fœd. Angl. Tom. VII. p. 622, 623, &c.

as Mr. *Echard* (*a*) and Mr. *Tyrrel* (*b*) have it, but of three full Years and about two Months; for it was to laſt till the 16th of *Auguſt* 1392. The King of the *Romans*, the King of *Scotland*, the King of *Arragon*, the King of *Navarre*, the Earl of *March* in *Scotland*, the Iſle of *Man*, the Dutcheſs of *Brabant*, and *Doge* of *Genoa*, were compriſed in it on the part of *France*; and thoſe on the other Hand who were mentioned as Allies of *England*, were the King of the *Romans*, the King of *Portugal*, the King of *Arragon*, the Earl of *Salisbury* in *England*, the Lordſhip of *Man*, the Duke of *Gueldre*, *John* of the *Iſles*, and the Republick or *Doge* and Community of *Genoa*. Why the Earls of *March* and *Salisbury*, they being but private Men and Subjects to their reſpective Sovereigns, were ſingled out as Allies of ſuch mighty Powers, I cannot gueſs; neither do I know why the Iſle of *Man* was compriſed in the Treaty on the part of *France*; but why *John* of the *Iſles* was expreſly compriſed in it by *England*, I ſee a very good Reaſon. The Lords of the *Iſles* endeavoured in thoſe Days to keep themſelves in a State of Independency, and had for that purpoſe entred into Treaties and Alliances with the Kings of *England*, in oppoſition to thoſe of *Scotland*; with what Shew of Equity or Reaſon I ſhall perhaps elſewhere enquire. This is certain, that *John* of the *Iſles*, I mean he who was contemporary with King *David* II. and the preſent King *Robert*, did never fairly ſubmit to either of them: But that Lord was dead ſome Years ago, leaving behind him (*c*) three Sons, *Godfrey*, *Donald* and *John*, with whom King *Richard* entred into a Treaty by means of *John* Biſhop of the *Iſles*, in 1388. It is not to be doubted but that the Treaty was compleated, and therefore the King of *England* was obliged to protect this ſecond *John*. This, I believe, was highly reſented by the Nobility of *Scotland*, who conſidered him as a Rebel; beſides, the Nation had never ſo many good Officers, or brave and well diſciplin'd Youths as at this time; they had never fought without Victory, nor made an Inroad upon the Enemy's Territories without returning with conſiderable Booty. Theſe Reaſons made them very unwilling to comply with the Truce: But *Froiſſard* informs us (*d*), that finding their King inclinable to accept of it, they alſo changed their Opinion. *Buchanan*, being always upon the Catch, when an Opportunity is offered of leſſening the Royal Prerogative, or of vilifying the Actions of Kings, lays hold on this to tell us (*e*), that King *Robert* gave his ſingle Aſſent to the Truce, contrary to the Opinion of all his Subjects; but in vain, for, adds he, the King had not Power to make Peace nor War, but with Conſent of the Eſtates; neither could he promiſe the Obſervation of a Truce without their Decree, that is, an Act of Parliament. A notorious Faſhood, for which *Buchanan* can give no Voucher. The Kings of *Scotland* had ever the ſole Power

The *Scots* unwilling to accept of the Truce, and why.

Buchanan confuted.

(*a*) p. 402. (*b*) Vol. 3. p. 940. (*c*) Fœd. Angl. Tom. VII. p. 592. (*d*) Hiſt. Froiſſ. reddit. Latin. a Sleid. p. 16. (*e*) p. 323.

of making Peace and War as they thought fit, which is evident both from immemorial uncontroverted Cuſtom and the whole Frame of our Conſtitution whether ancient or modern: And that they needed not to conveen the Eſtates in order to ratify Truces, is no leſs plain. I have mentioned, I believe, an Hundred Truces, ſome ſo ſhort that a Parliament could ſcarcely meet before they were ended; others much longer and all ratified by the King, and not one by a Parliament, nor even by the King in Parliament, ſo far as I can ſee. It was the Army, and not the Parliament or Eſtates, that ſo much oppoſed the King's Inclinations, or rather the Deliberations of all *Europe* in the preſent Caſe. For (*a*) when the *French* Ambaſſadors came to *Scotland*, in order to ſignify to that Court what had been done by the Congreſs at *Lelinghen*, the Nobles and better ſort anſwered, that they were willing to enter into the Meaſures which had been concerted, but that it would not be eaſy to prevail with the Soldiery to lay down their Arms, now they had taken the Fields, and were ready to invade *England* more powerfully than they had done in the Spring, being fully perſwaded that this ſecond Expedition would be equally honourable and advantageous. To convince the Ambaſſadors of this, and to ſhew their own Deference to the King of *France*, they conducted the former to the Army, which they found in admirable good Order with ſhining Arms, fierce Countenances, and drawn out in their different Ranks, as if they had waited but the Word of Command to attack the Enemy. When the Buſineſs and Deſign of the *French* Ambaſſadors were known in the Camp, the ſtubborn Multitude began to mutiny, ſwearing that they would not loſe the Fruits of their Labour and Charges, nor return home till they had regained from the Enemy what they had laid out of their Subſtance towards the intended Invaſion. The Ambaſſadors did all they could, with ſoft Words and liberal Promiſes to mitigate their Wrath; and their own Officers threatned to abandon them to their own Conduct, bidding them chuſe out Leaders from among themſelves, and fight at their own Peril, ſince nothing but Fighting would ſerve them; and aſſerting with Oaths, that if they preſumed to march forward into *England*, they would not allow them one Farthing for their Expences or Labour. *Thus*, adds *Walſingham*, *the wicked* Scots *were at laſt neceſſitated to acquieſce in the Truce, to the Shame and Diſgrace of the* Engliſh. Now, becauſe a warlike Militia, fluſhed with Victory and bent upon Prey, could not well bear the Diſpleaſure of being diſappointed in their Hopes, does it from thence follow, that without their Conſent, or even that of the States, the Sovereign could not make Peace, nor accept of a Truce? No Body, I humbly conceive, will think ſo; for, as I have ſaid, the ſole Power of declaring War or making Peace was ever lodged in our King; and the Formality uſual in ſuch Caſes was this. The King of *England* ſent his

(*a*) Walſingh. p. 337.

his Envoys to the King of *Scotland*, who in their Preſence ſwore, or cauſed ſome of the Nobility about him to ſwear in his Name, that he would obſerve the Truce in all its Articles: In the like manner the King of *Scotland* ſent his Envoys to the King of *England*; and thoſe employed on the preſent Occaſion (*a*) were *Henry Douglas* and *Adam Glendouewyn*, or rather *Glenduning*, before whom King *Richard* ſwore to the Obſervation of the Truce on the 27th of *September*, about 3 Months after it was concluded. King *Robert* (*b*) had done the like ſometime before; and this was the laſt memorable Action of his glorious Life and happy Reign: For being worn out, not with Sickneſs, but venerable old Age and honourable Toils, he died in the Caſtle of *Dundonald* his paternal Inheritance, on the 19th of *April*, *Anno* 1390. He lived Seventy Four Years, and reigned Nineteen.

Death of K. *Robert* II.

A.D. 1390.

Buchanan (*c*) begins his Character by telling us, that he managed Wars by his Lieutenants, and for the moſt part with very good Succeſs, but was himſelf preſent in few Battles, which, adds he moſt maliciouſly and falſly, ſome attributed to his Cowardice, others to his old Age. He was 57 Years old before he came to the Crown; the firſt 4 Years of his Reign were entirely peaceable; nor did the Truce which his Predeceſſor had made expire, tho it was often violated by the Borderers on both Sides, till ſeveral Years after; nay there was no declared nor open War between the two Nations till the Year 1384, when King *Robert* was a very old Man indeed, being no leſs than 70 Years of Age. Till this time he could neither in Honour nor Conſcience ſo far countenance the Breach of the neceſſary Truces agreed to, as to ſet himſelf at the Head of an offenſive Army; nor was it to be ſuppoſed that at this time, or ever after, he could be able to undergo the Hardſhips either of Marches or Camps. To be ſure, his many Sons and more Generals, would never have ſuffered him to haſten his Death, tho he himſelf had had a Mind to it, by attempting what was both impracticable and unneceſſary. His gray Hairs, long Experience, and infirm Body, might perhaps make him cautious how he engaged in War, or ventured upon hazardous Attempts; and this I doubt not but his warlike Subjects might have complained of: But that they queſtioned his perſonal Courage, becauſe forſooth at the Age of 70 he did not lead them to the Enemy, is ridiculous. They knew that when he was but a Boy, he had reacted the moſt daring Parts of the *Wallace* and *Bruce*. Thouſands ſtill alive had witneſſed his Gallantry, which if it had not been perfectly heroick, his Uncle King *David* had neither been reſtored from his Exile in *France*, nor from his Captivity in *England*. I have elſewhere ſaid enough to evince this Truth, which of it ſelf is evident to whoever conſiders, that he was Guardian of *Scotland* during the ſpace of 19 Years; of 8 while King *David* was an Exile, and of 11 while he was a Priſoner;

His Character.

Buchanan confuted.

(*a*) Fœd. Angl. Tom. VII. p. 638. (*b*) Ib. p. 630. (*c*) p. 323.

ſoner; that is, in the very worſt of Times. *Boethius*, and indeed all Authors but *Buchanan*, are of my Opinion even with Reference to King *Robert*'s Valour. If we may believe that Author (*a*) he ſurpaſſed, or at leaſt equalled all former Kings by his fortunate Succeſſes in War, and altho his old Age did not permit him to fight in Perſon after his Acceſſion to the Throne, yet his Lieutenants never returned from the Fields without Victory. As for the Diſpleaſure which, ſome ſay, his Uncle conceived againſt him upon the Account of his Retreat from the Battle of *Durham*, and the pretended Illegitimacy of his firſt-born Children, I have proved that the one is a mere Calumny, and the other in all Probability fictitious. Nor is it true, that in the End of his Days he ſo far demitted the Exerciſe of the Royal Power, as to transfer it to his ſecond Son *Robert*, with the Title of Governour, as is generally believed. But of this afterwards. What more I am to ſay concerning him all Authors are agreed in. He was in all Reſpects a good Man and a great Prince; conſtant in his Actions, juſt in his Dealings, faithful in his Promiſes, wiſe in his Deliberations, ſucceſsful in his Undertakings; and never did undertake any thing which was not both uſeful and acceptable to the Nation. His Youth was ſpent in continual Action and the hardeſt of Labours; he was ſometimes vanquiſhed, but much more frequently victorious. Notwithſtanding the infinite Diſproportion of his Forces and thoſe of the mighty Monarch he had to do with, he never ceaſed fighting till *Scotland* was free and the King reſtored. His Manhood or middle Age ſeems almoſt wholly to have been turned upon Politicks: Every Year of his Adminiſtration produced a new Treaty, and what a Reach of Wiſdom and Depth of Thought were neceſſary to manage ſo many Negotiations, at *Avignon*, *Paris*, *London*, *Newcaſtle*, *Berwick*, and wherever the Kings of *Scotland*, *England* and *France* were concerned, any Body may judge. His Reign or old Age had ſomething in it more ſuitable to the Genius of the *Scots* Nation, than either his Manhood or Youth; for during the laſt 13 Years of his Life, his Subjects had as much Peace as their ſtronger Inclination to War could well bear, and they had no more War than they were able to carry on with Honour and Profit. When he died, the Remainder of his Uncle's Ranſom, amounting to the Sum of 24000 Merks, remained ſtill unpaid; but this muſt be attributed to thoſe frequent Breaches of the Truce with which his Commiſſioners ſo boldly charged the *Engliſh* Nation, and not at all to his backwardneſs to perform Compacts: For he was ſo much a Lover of Juſtice, that before he removed from one place to another, he would cauſe Proclamation to be made, that if any belonging to the Court had wronged their Landlords, or by any means run themſelves in Debt, the Perſons injured might come to Court and receive Satisfaction. 'Tis alſo reported of him, that after his Coro-

(*a*) Fol. 334.

Coronation he compenſated the Abbey of *Scoon* for the Loſs of their Corns, which the vaſt Number of People who flocked from all Parts to witneſs the Ceremony, had trampled down, and ſpoiled with their own and their Horſes Feet. He was a Father to the Poor, a Terror to Oppreſſors, and a great Encourager of Learning and Piety. His *Foible* or domineering Paſſion (I ſpeak with reference to Chriſtian Morality) ſeems to have been that of *David*, *Solomon*, *Charlemaign*, and a great many others of the firſt Order of Men, I mean a Tendency to Love: For tho it is certain, that his firſt Marriage, and probable that his ſecond, were the mere Effects of Affection, yet we find, that beſides his Wives he had ſeveral Miſtreſſes, (tho perhaps only when he was a Batchelor or Widower) and by them natural Children. I ſhall here give an Account of them, as well as of thoſe whom he begot in Wedlock; the rather, becauſe (ſince moſt, if not all the Gentry and Nobility of the Kingdom, have the Honour to be one way or other deſcended from them, and by conſequence to have Royal Blood in their Veins) I hope the Knowledge of it will be no inconſiderable Motive for their inviolable Adherence to a Houſe, which Nature, no leſs than Reaſon, Law and Religion oblige them to reſpect and ſerve with their utmoſt Endeavours. His Iſſue.

His eldeſt Son by *Elizabeth Mure* his firſt Wife (*a*) was *John* Earl of *Carrick*, of whom I have already ſaid much, and ſhall by and by ſay more. The 2d was *Walter*, who married *Iſabel Mackduff*, or (as ſome Records have it) *de Fife*, Daughter and ſole Heir of *Duncan* Earl of *Fife*; but he dying young and without Iſſue, *Robert* his third Son was created Earl of *Fife*, and came likewiſe to be Earl of *Menteith* in Right of his Wife *Margaret*, Daughter and Heir of *Murdoch* Earl of *Menteith*. He was afterwards Duke of *Albany* and Governour of *Scotland*, as I ſhall very ſoon have Occaſion to relate. The 4th Son was *Alexander* of *Badenach*, who was created Earl of *Buchan* by his Father, and afterwards came to be Earl of *Roſs* in Right of his Wife *Euphame* eldeſt Daughter of *William* Earl of *Roſs*. His Daughters were, 1. *Marjory*, married to *John Dunbar* Son to the Earl of *March*, and who was made Earl of *Murray in Anno* 1372. 2. *Jean*, firſt married to Sir *John Lyon* of *Glamis*, of whom is lineally deſcended the preſent Earl and Family of *Strathmore*, and afterwards to *James Sandilands* of *Calder*. 3. *Elizabeth*, married to *David* Son to Sir *Thomas Hay* of *Errol* Lord High Conſtable of *Scotland*. From her is lineally deſcended *Charles* the preſent Earl of *Errol*, and Hereditary Lord High Conſtable. I believe ſhe was her Father's eldeſt Daughter, becauſe by a Charter ſtill extant it appears, that her Father was but Earl of *Strathern* when ſhe was married. 4. *Margaret*, married to *John* of *Yla* Lord of the *Iſles*. 5. *Giles*, married to the brave *William Douglas* Lord of *Nithſdale*, commonly called *Regidio*. He had alſo another Daugh-

(*a*) Crawfurd's Hiſt. of the Stewarts, p. 17, 18.

ter by the ſame Wife married to *David Lindſay* of *Glenesk*, afterwards Earl of *Crawfurd*, from whom are deſcended the ancient Earls of *Crawfurd*, and preſent Laird and Family of *Edzel*. His Children by *Euphame Roſs* his ſecond Wife were, *David* Earl of *Strathern*, *Walter* Earl of *Athole*, and *Euphame*, as our Hiſtorians commonly call her, or rather *Iſabel*, as ſhe is called in Records. She was firſt marr e l to the heroick *James* Earl of *Douglas*, and afterwards to Sir *John Edmonſton*.

His natural Iſſue I ſuppoſe by his beloved Miſtreſs *More* or *Moram* (for ſuch a Miſtreſs he (*a*) certainly had) were, *1ſt* Sir *John Stewart* Sheriff of *Bute*, commonly called the *Black Stewart*. 2. Another Sir *John Stewart* of *Dundonald*, commonly called the *Red Stewart*. 3. *Thomas* El & Biſhop of St. *Andrews*. Thoſe by *Marion* de *Cardney* another of his Miſtreſſes, were *1ſt*, *John Stewart* of *Kinclevin*, 2. *James Stewart* of *Kinſauns*, 3. *Alexander Stewart* of *Lunan*. That he had all theſe Children I have mentioned, is evident from unqueſtionable Charters, ſome of which Mr. *Crawfurd* has cited, and I could have cited others to the ſame Purpoſe, had I thought it neceſſary. Perhaps he might have had more; for, as I have ſaid, his *Foible* inclined him to love, a Paſſion which Saints have had much ado to conquer, and by which Heroes have often been conquered.

Mr. *John Johnſton* has celebrated his Worth by the following *Elegy*.

Primus honorata lectus de ſtirpe Stuarta
Bruſſiaca *ducit Sceptra genuſque domo;*
Amborumque genus meritis ingentibus implet,
Inque novo priſcos ſtemmate jungit avos.
Auſpiciis cujus crebris decorata triumphis
Scotia, *magnanimos extulit alta Duces.*
Quorum facta truces hoſtes ſenſere, vel ipſa
Fata quoque audaces extimuere minas.

His *Deviſe.* About the latter end of his Reign (*b*) he took for his Impreſs or *Deviſe*, a Coronet pointed, with two Rows of gliſtering Stars, and placed over a terreſtrial Globe. The Word, *Vanitas vanitatum, & omnia vanitas.*

(*a*) See Tarbat's Vindication of the Royal Line from the Imputation of Baſtardy. (*b*) Keep's Genealog. of Princeſs Anne, edit. Lond. 1684.

THE

THE

Life of Robert III.

The Hundredth and First King of Scotland.

THIS Prince, the ſecond of the Royal *Stewarts*, is by all Authors allowed to have been among the beſt of Men, but is not generally reckoned among the greateſt of Kings: 'Tis nevertheleſs certain, that during the Reigns both of his Couſin King *David* and his Father King *Robert*, he was eminently concerned in all the moſt important Tranſactions, civil and military; having, as I have already related, commanded Armies with Glory, and negotiated Treaties of Accommodation with Succeſs. Neither did the Crown loſe any of its Rights, nor the Kingdom any of its Priviledges, nor the Nation in general its Honour, Fame or Wealth after he came to the Throne. He ſucceeded his Father, ſays *Buchanan* (*a*), on the *Ides*, or 13th of *Auguſt*; he means, to be ſure, that the Ceremony of his Coronation was performed on that Day: For even the Competition of the *Bruce*, *Baliol*, &c, who all pretended to the Crown in Right of their Blood, ſhews that the Kingdom of *Scotland* was ever hereditary: And that hereditary Monarchs do always ſucceed immediately upon the Death of their Predeceſſors, is not diſputed, nor can it be in the preſent caſe. Witneſs the King of *England* (*b*) who on the firſt of *June* more than two Months before the 13th of *Auguſt*, ſent Ambaſſadors to require his Adverſary of *Scotland*, as he calls him, to ſwear, as his Father lately deceaſed had done, to the Obſervation of the Truce; and witneſs the King himſelf (*c*), who taking upon him the Name and Title of *Robert* King of *Scotland*, did actually ſwear, that he would obſerve it, at *Perth* the 16th of *July*, and Year of God 1390, being the firſt of his Reign. Now why he called himſelf *Robert*, ſince his own Name was *John*, is variouſly conjectured by Authors. *Scotland*, *England*, and *France* had acknowledged Kings of the Name of *John*, but all theſe had been extremely unfortunate: Nor had the late Kings of *Caſtile* and *Portugal*, who had alſo that Name, been free from exemplary Calamities, whereas the eminent Vertues and Felicity of the two *Roberts* Kings of *Scotland* were ſtill freſh in the Memories of all Men; for which Reaſons, tho, in my Opinion, no very good ones, the Name of this Prince was changed from *John* to *Robert*, and he was by the Vulgar commonly called *Robert John Fernzier*.

A.D. 1390

Buchanan confuted.

Robert III. why called *Robert* ſince his Chriſtian Name was *John*.

(*a*) p. 324. (*b*) Fœd. Angl. Tom. 7. p. 675. (*c*) Ibid. p. 683.

As the Court of *England* made haſte to ſee the three Years Truce ratified by the new King of *Scotland*, ſo did that of *France* take care that the old League might be renewed with all convenient Diligence. For this Effect Mr. *Guillaume* de *Cautiers* and *Godoard* de *Broil* were ſent by their Maſter King *Charles* to *Scotland*, and finding the Court at *Edinburgh*, where they were very honourably received, they witneſſed the King's putting his Hand and Seal to the Treaty which his Father formerly concluded (*a*), in the Caſtle of *Edinburgh* the firſt of *December* 1390. Thus the firſt Year of his Reign was ſpent with great Tranquillity in Negotiations with foreign States, and, no doubt, in making domeſtick regulations for the welfare of the King and People. The ſecond was not ſo ſerene: Late Diſcontents and old Quarrels began to break out at Court and in the Country.

Robert III. renews the League with *France*.

The King himſelf was valetudinary, as I have elſewhere had Occaſion to inform my Reader, and for that Reaſon, his ſecond Brother the Earl of *Fife* continued his chief Miniſter, and perhaps in Reality Governor of the Kingdom; tho I ſhall afterwards evince, contrary to what moſt of our Hiſtorians have aſſerted, that he neither had that Title conferred upon him till long after, nor did he as yet preſume to act otherwiſe, than with all ſeeming Deference to, and Dependence upon his Sovereign. Their third Brother *Alexander* Earl of *Buchan* was not ſo cautious, whether by Reaſon of his more paſſionate Temper, or that he envyed the Earl of *Fife*, or that he preſumed upon the old Age of the King his Father, or that he deſpiſed the fickly Diſpoſition of the King his Brother, I know not; but 'tis certain, that towards the End of his Father's Reign, or in the very Beginning of his Brother's, he quarrelled about ſome not very momentous Matter with the Biſhop of *Murray*, and carried his Reſentment againſt that Prelate ſo far, as to ſet on fire his Cathedral Church of *Elgin*, then one of the moſt beautiful Fabricks in *Europe*, and which is ſtill, tho wretchedly ruinous, admired for its venerable Remains. This Crime, it ſeems, remained unpuniſhed, and now *Duncan Stewart*, the Son of the ſame *Alexander*, copying after the pernicious Example of his Father, (*b*) ſet himſelf at the Head of a riotous Multitude of Highlanders, commonly called *Kateranes*, and falling down upon the fruitful Plains of *Angus*, plundered and ravaged, as if they had been in an Enemie's Country. *Walter Ogilvy* Sheriff of *Angus*, and *Walter Lichton* his Brother endeavoured in vain to put a Stop to their Fury, but were both killed with ſixty of their Followers in the generous Attempt. No leſs than an Army was ſufficient to reſtrain ſuch Inſolence. The King cauſed one to be levied, and ſent the Earl of *Crawfurd* to the Fields at the head of it, who ſoon

A.D. 1391.

Quells ſome Commotions occaſioned by his Brother and Nephew.

(*a*) Ib. p 689. MS. penes Comit. de Winton. (*b*) Joan. Maj. Fol. 122. &c. Buchan. p. 525. Holinſhed. Boet. Leſl. in vit. Reg.

ſoon diſſipated thoſe Robbers, put ſome of them to the ſword, and brought others back to Execution.

The ſame Earl of *Crawfurd*, or according to *Buchanan*, his Son, and *Thomas Dunbar* Earl of *Murray*, were ſent with an armed Power ſome Years after this, *viz.* in 1396, to reduce two Highland Families or Tribes, the one called Clan *Chattans* and the other Clan *Kayes*, who committed continual Hoſtilities upon one another, to the great Diſturbance of the Neighbourhood, and Reproach of the Government. A.D. 1396. Witneſſes a memorable Combat between the Clan *Chattans* and Clan *Kayes*. But theſe Clans were ſo very fierce, that the two Earls finding, that it would be no eaſy Task either to ſubdue them by Force, or to ſoften them by Reaſon, propoſed an Accommodation upon very extraordinary Terms, yet ſuch as were moſt acceptable to the jarring Parties. The Terms were, That 30 of each ſide (and not 300, as *Buchanan*'s Tranſlator and ſome others, miſtaking *triceni* for *treceni*, have it) ſhould fight it out with no other Arms offenſive or defenſive but their Swords; That the King and Court ſhould be Spectators of the Combat; That the Conquered ſhould have an Indemnity for all paſt Offences, and the Conquerors be honoured with the Royal Favour. Accordingly both Parties met on the Day and at the Place appointed, and were juſt ready to engage in the North Inch of *Perth*, when one of the Clan *Chattans*, who had withdrawn himſelf for fear, was miſſed; and the reſt expreſſing ſome unwillingneſs to encounter the ſuperior Enemy, an Expedient was propoſed for obviating that Inconveniency, which was, that one of the Clan *Kayes* ſhould ly by; but none of them would ſuffer himſelf to be exempted from the common Danger. At length, after ſome Debate about the Matter, a Sadler, whoſe Name was *Henry Wynd*, tho not at all concerned in the Quarrel, offered to ſupply the Place of the only Coward that was abſent, and all he asked for his Service was, That if they for whom he was to fight ſhould come off with Victory, they would give him a Crown of Gold *French* Money; an inconſiderable Reward. Which being promiſed, the Fight began, and was managed with ſo much Skill, Vigour and Fury, as poſſeſt the great Number of Beholders with Amazement and Horror: But all took notice, that none of the Combatants fought more ſtoutly than *Henry Wynd*, to whoſe unequalled Valour the Victory, which fell to the Clan *Chattans*, was principally aſcribed. Of theſe nevertheleſs, but 10 beſides himſelf were left alive, and even theſe were all dangerouſly wounded. Only one of the other ſide, I mean of the Clan *Kayes*, eſcaped being killed; and that one had alſo the good Fortune to remain unhurt to the laſt, when perceiving it impracticable for him alone to ſtand it out againſt ſo many, he caſt himſelf into the River of *Tay* which was at hand, and got over by ſwiming to the oppoſite Bank. From this Combat, and the Conduct of the mercenary, but brave Fellow who acted ſo unneceſ-

ſary a Part in it, it is ſtill proverbially ſaid of ſuch as concern themſelves in the dangerous or intricate Affairs of others, *That they come in like* Henry Wynd, *for their own Hand.*

Theſe and the like Feuds (for ſo were the petty Wars, carried on by neighbouring Families among themſelves, commonly called,) owed their Riſe as much to the long Quiet or Vacancy, if I may ſpeak ſo, from foreign Wars, which *Scotland* at this time enjoyed contrary to the People's Inclination, as to the Barbarity of the Times, or want of Vigour in the Government: For ſuch was then the Genius of *Scotſmen*, and indeed of moſt others, that when they wanted Opportunities of exerciſing their Courage againſt the Enemies of their Country, they quarrelled and waged war with one another: And now they had no Opportunities of making Inroads as formerly into *England*; for on the 16th of *Auguſt* 1392, the Truce of *Lelinghen* (*a*) had been prolonged till *Michaelmaſs* or the 29th of *September* 1394, and afterwards, from thence (*b*) till *Michaelmaſs* 1398. During this Interval of time ſeveral Treaties were ſet on foot towards a final Peace, and one (*c*) in order to a Marriage between ſome Perſons of the Blood Royal of *Scotland* and *England*. But none of theſe taking Effect, a Marriage was actually celebrated this ſame Year 1396 (*d*), between the King of *England* and a Daughter of *France*, the Princeſs *Iſabella*: Yet no Peace was concluded, only the Truce was prolonged as before, and was to laſt from *Michaelmaſs* 1398, till *Michaelmaſs* 1426, that is, 28 Years, which being added to the two Years which were yet to run in purſuance of the former Treaty, made 30 Years in all. The King of *Scotland* was compriſed in this Treaty, as in all others, among the reſt of the Allies of *France*; and *John* of the *Iſles* was ſtill one of thoſe who were mentioned by the King of *England*. But how far King *Robert* did acquieſce in this laſt Truce, too long for the then Genius of his People, I cannot well tell: If he did accept of it, as I am apt to think he did not, by reaſon of the ſhort and ſeparate Truces which afterwards enſued between the *Britiſh* Crowns, it is certain that it was but ill kept. For which Reaſon, the *Engliſh* Ambaſſadors Mr. *John Shepeye* and Sir *William Elmham* (*e*) met at *Dumfermling*, where the Court then was, on the 2d of *October* 1397, with Sir *William Stewart* of *Jedburgh*, Sir *John* de *Ramorgny*, *Adam Forreſter* and *Patrick* de *Lumely*, Commiſſioners appointed by King *Robert*, to treat with thoſe of *his Adverſary of* England, and they came to this Agreement, "That on *Munday* the 10th of "*March* next to come, Prince *David* Earl of *Carrick* the King's eldeſt "Son, and with him a Biſhop, an Earl, a Baron, two Clerks, two "Batchelors and an Eſquire, ſhould meet with *John* Duke of *Guienne* "and *Lancaſter* the King of *England*'s Uncle, who alſo ſhould be "attended by a Biſhop, an Earl, a Baron, two Clerks, two Batche-"lors,

Makes ſeveral Truces with *England.*

A.D. 1397.

(*a*) Fœd. Angl. Tom. VII. p. 714, 715, &c. (*b*) Ib. p. 769, 770, &c. (*c*) Ib. p. 786, 787. (*d*) Ib. p. 820, 821, &c. (*e*) Fœd. Angl. Tom. VIII. p. 17 & 26.

" lors, and an Eſquire; That the Congreſs ſhould be kept at *Reden-*
" *burn*, *Carham* or *Handenſtank*, and that in an amicable manner they
" ſhould endeavour to compoſe Differences, and repair all Breaches
" of the Truce concluded at *Lelinghen* in 1388, and of all others that
" had been agreed to ſince that time. " I have taken notice, that at this time, the King of *England* was, by the King of *Scotland*, dignified with no higher Title, than that *of his Adverſary of* England; a Way of ſpeaking firſt made uſe of by the Kings of *England* with reference to thoſe of *Scotland* and *France*, and afterwards imitated by theſe laſt, with relation to the Kings of *England*; tho I find, that this ſame Year King *Richard*, in a Safe-conduct (*a*) granted by him to Sir *John Ramorgny* and *Adam Forreſter*, calls them *the Envoys of the King of* Scotland: And after this time I alſo find, that that Title was frequently given in publick Writs to all the Kings of *Scotland* by thoſe of *England*; which ſhews, that the latter did no longer inſiſt upon the pretended Right, which they had acquired to the Crown of *Scotland*, from either or both the *Baliols*. But of this by the by.

A memorable Congreſs held by the *Scots* and *Engliſh*.

In purſuance of the Agreement made at *Dumfermling* (*b*), *David* Earl of *Carrick* and eldeſt Son of the King of *Scotland*, *Robert* Earl of *Fife* and Brother of the King of *Scotland*, *Walter* Biſhop of St. *Andrews*, *David* Lord of *Lindſay*, *&c.* met in *March* 1398 at *Handenſtank*, with *John* Duke of *Aquitain* or *Guienne*, and *Lancaſter* Uncle to the King of *England*, *John* Biſhop of St. *Aſaph*, *Thomas Percy* Earl of *Worceſter*, and *William Scroop* Earl of *Wilts*, *&c.* and on the 16th of the Month prolonged the Truce till *Michaelmaſs* 1399. They alſo made ſeveral Regulations tending to remove bypaſt, and prevent future Quarrels among the Borderers; particularly, that all Priſoners taken on either ſide ſince the firſt Truce of *Lelinghen*, ſhould be diſmiſſed without paying any thing for their Ranſoms. But this Article was not punctually executed; for which, and ſome other Reaſons (*c*), a ſecond Congreſs was held at the ſame Place in the Month of *October* next following. The Commiſſioners *of the High and Mighty Prince* Robert *King of* Scotland, were Sir *William Borthwick*, Sir *John Ramorgny*, and Adam *Forreſter* Eſquire; they of the King of *England* ſtiled likewiſe, *The High and Mighty Prince*, were Sir *John Buſſy*, Sir *Henry Green*, and *Lawrence Drew* Eſquire, who on the 26th of the Month agreed, 1*mo.* " That, con-
" formably to the late Treaty concluded by the Dukes of *Rotheſay*
" and *Lancaſter*, all Priſoners ſhould be ſet at Liberty by *Hallowday*
" next. 2*do.* That *Adam* de *Gordon*, *William* the *Bard*, and *Adam*
" *Franch*, being notorious Truce-Breakers, ſhould appear at the next
" Day appointed for the Meeting of the *Great Commiſſars of both Re-*
" *alms*, under the Penalty of 3000 Lib. 3*tio.* That in regard a
" great many *Scotſmen* born had ſettled themſelves on the Marches of
" *England*, and had ſworn Fealty to the Crown of *England*; and in
" the

A.D. 1398.

(*a*) Fœd. Angl. Tom. VIII. p. 26. (*b*) Ib. p. 33, 35, 36. (*c*) Ib. p. 54, 55, 56, 57, &c.

" the like manner, a great many *Engliſhmen* born had ſettled themſelves on the Marches of *Scotland*, and had ſworn Fealty to the Crown of *Scotland*; and that both theſe were notoriouſly known to be the principal Authors of all the Diſturbances that happened in thoſe Parts, it was ordained, that the *Scotſmen* born ſhould remove to the South-ſide of the River *Tyne*, and the *Engliſh* as far North as the Town of *Edinburgh*. 4*to*. That the Duke of *Rotheſay*, or *ſome other great Lord of the Blood of the King of* Scotland, and the Duke of *Lancaſter*, or *ſome other great Lord of the Blood of the King of* England, ſhould again meet at ſuch Time and Place as both Kings ſhould think fit, to the Performance of theſe Articles," and ſome others, which for Brevity's ſake I omit. The Earl of *March* Warden of the Eaſt Marches of *Scotland* was obliged, and as *Borrowis* for him, (that is, if I am not miſtaken, Cautioners or Conſervators of the Peace,) Sir *Richard Rutherford*, Sir *William Stewart*, *Walter Scot*, *Thomas Turnbull* and *Robert Lawder*. The ſame Obligation was impoſed upon Sir *Henry Percy* eldeſt Son of the Earl of *Northumberland*, Warden of the Eaſt March of *England*, and upon *Gray* of *Hilton*, *Gray* of *Horton*, *Robert Umphraville*, &c. as *Borrowis* for him.

Conſervators of the Truce.

Two Days after Matters had been adjuſted in this manner (*a*), a Complaint was given in by the *Procurators* of Sir *John Hamilton* of *Cadyaw*, and Sir *John Hamilton* of *Finyngalton*, who, together with ſeveral *Scots* Merchants, had lately been taken by the *Engliſh* at Sea, and their Ship made a Prize contrary to the Articles of the Truce; wherefore the Perſons of theſe Gentlemen were appointed to be ſet at Liberty, and their Damages to be repaired. Another Complaint was brought in by Sir *Philip Stanley*, the *Engliſh* Governour or Captain of *Roxburgh*, againſt the Son of the Earl of *Douglas*, who with ſeveral others, of whom Sir *William Stewart* there preſent was one, had broken the Bridge of *Roxburgh*, plundered the Town, ſpoiled the Walls, burnt the Hay, Fuel, &c. belonging to the Garriſon, and thereby done as much Damage as would amount to the Sum of 2000 Lib. Sir *William* frankly acknowledged, that his Lord had burnt the Hay and Fuel, and broken down the Bridge, which, added he, he thought he might lawfully do notwithſtanding the Truce, *becauſe theſe were the Heritage of* Scotſmen; but that as for himſelf he did not pretend to know the Point of Right, till it was determined by the Lords Commiſſioners. As for the plundering of the Town, he ſaid that was done by the unruly Multitude much againſt the Earl's Will, who, he believed, would conſent that Reparation might be made to the Inhabitants. To be ſhort, the Deciſion of this Matter ſeemed ſo arduous, that it it was put off to another time, and what was done in it I cannot tell.

Breaches of the Truce repaired.

On

(*a*) Fœd. Angl. Tom. VIII. p. 57, 58.

On the 6th of *November* next following (*a*), Sir *William Borthwick*, and *Roger Gordon* Eſquire, Commiſſioners for *Scotland*, met with thoſe for *England* at *Lochmabauſtan*, and they agreeing much in the ſame Terms towards obſerving the Truce on the Weſt Marches, the Earl of *Douglas* Warden of that March for *Scotland*, became bound to perform his Part. The *Borrowis* for him were Sir *John Johnſton*, Sir *John Corlel*, Sir *William Stewart* of *Caſtlemilk*, *John* of *Carruthers*, *Nicol Little*, *Alexander Armyſtrang*, and ſome others, whoſe Sirnames are now forgotten. An equal Number of *Engliſh* Gentlemen were bound in the ſame manner for *John Skelton* Lieutenant of the Weſt March of *England*. And thus I have thought fit to enlarge upon theſe Tranſactions, to ſhew with what Equality of Perſons and Terms, the two Nations were in thoſe Days accuſtomed to treat with one another; as alſo to let my Countrymen know the Names and Perſons of thoſe in Power at the time. Beſides, we learn from the ſame Accounts, the preciſe Time when the Title of Duke was firſt introduced into *Scotland*, which muſt have been this Year between the Months of *March* and *October*, ſince in *March* Prince *David* was ſtiled Earl of *Carrick*, and in *October* Duke of *Rotheſay*. *Robert* Earl of *Fife* was at the ſame time created Duke of *Albany*, no doubt in Imitation of the preſent King *Richard* II. of *England*, who had but ſome Years before imitated the Kings of *France* in making the ſame Promotion: But he made many Dukes, whereas only two were dignified with that Title in *Scotland*; nor were the *Scots* till long after very fond of that, or any other Preheminency of this Kind. Happy if their degenerate Poſterity had been of the ſame Humour: The covetous Poverty, and ruinous Pride of our too numerous Peers, had not proved ſo fatal both to their own State and to the other two, that is, the whole Nation, as we all know, it has been, and 'tis to be feared, will ſtill be.

Title of Duke firſt introduced into *Scotl nd* and given to Prince *David*, eldeſt Son to *Robert* III and to *Robert* E. of *Fife* his ſecond Brother.

Purſuant to an Article of the laſt Treaty, the Dukes of *Rotheſay* and *Lancaſter* had a ſecond Interview, where or when I know not; but it is certain, that they again (*b*) prolonged the Truce from *Michaelmaſs* 1398, to *Michaelmaſs* 1399, and that in preſence (*c*) of Sir *John Hamilton* and *Adam Forreſter*, the King of *England* ſwore to the Obſervation of it; nay, he endeavoured by all means poſſible to (*d*) bring about a perpetual Peace and Amity between the two Kingdoms, and gave ſtrict Orders to his Ambaſſadors that they would leave nothing undone that might contribute to that End; but if the *Scots* were abſolutely averſe to a final Peace, that they would induce them to acquieſce in the long Truce concluded at *Lelinghen*, between his Father of *France* and him: Which if the *Scots* alſo declined, that they would at leaſt prevail with them to prolong the preſent Truce during the ſpace of 2, 3, 4 or 5 Years. That unfortunate Prince had all the Reaſon in the World to court the Friend-

A.D. 1399.

Second Interview between the Dukes of *Rotheſay* and *Lancaſter*.

Richard II. of *England* courts the Friendſhip of the *Scots*.

(*a*) Fœdr. Angl. Tom. VIII. p. 58. 59, &c. (*b*) Ibid. p. 65. (*c*) Ibid. p. 69. (*d*) Ibid. p. 67 & 72.

ſhip of his Neighbours, for he was in very ill Terms with his own Subjects, and the fatal Period of his Reign and Life was drawing near. Moſt of the *Engliſh* Hiſtorians copying after *Walſingham*, who lived under, and made it his Buſineſs to flatter the Uſurpers of his Crown, give us but an indifferent Character of his Perſon, and a very diſingenuous Account of his Government. *Froiſſard*, a contemporary Author, and a Foreigner, but very well acquainted with all the Intrigues and Tranſactions of the then Court of *England*, deſerves much more Credit. Nay *Holinſhed*, an *Engliſhman*, has very fairly vindicated the Memory of that abuſed Monarch from the Aſperſions caſt on it by the Enemies of hereditary Right, and *Panegyriſts* of rebellious Precedents, Men equally unjuſt to lawful Kings, and favourable to factious Juncto's. The Truth is, according to the two Authors I have cited, that, as *Richard* II. was the moſt beautiful Prince in the World, ſo he was mild, courteous, magnificent, liberal, reaſonable and brave; not at all degenerating in that reſpect, (till he was overwhelmed with the Weight of irreſiſtible Adverſity,) either from the *Black* Prince his Father, or the victorious King *Edward* III. his Grandfather, Perſonages ſo dear to *England*, that one would have thought his being the Son of the one, and Grandchild of the other, was alone ſufficient to have guarded him from open Treaſon or hidden Faction: And no doubt but that a Prince leſs accompliſhed than he would have been thought worthy of the Crown to which he was born, had he not begun to reign when the Fortune of *England* began to decline, and *Scotland* and *France* to recover their Loſſes. Beſides, he was but 11 Years old when he mounted the Throne, under the Tutory of three Uncles, who, that they themſelves might govern, found Fault with whatever he did; and he had the Misfortune to ſucceed to a Prince, whoſe vaſt Ambition had entailed two hereditary Wars upon him, and left him but an exhauſted Exchequer, and a diſcontented People to carry them on. "Yet, (ſays *Holinſhed*) (*a*) in no Kings "Days were the Commons in greater Wealth, if they could have "perceived their happy State; neither in any other time were "the Nobles and Gentlemen more cheriſhed, nor Churchmen leſs "wronged. But ſuch was their Ingratitude towards their bountiful and loving Sovereign, that thoſe whom he had chiefly advanced, were readieſt to controul him, for that they might not rule "all things at their Will, and remove from him ſuch as they miſliked, and place in their Rooms whom they thought good, and "that rather by ſtrong Hand than by gentle and courteous Means." And who were they againſt whom this Author ſo heartily exclaims as Monſters of Perfidy and Ingratitude? The neareſt of Kin to the Crown, his own Uncles and Couſins, but more particularly *Thomas* the Duke of *Gloceſter*, and *Henry* eldeſt Son of *John* Duke of *Lancaſter*. The firſt being the youngeſt of ſix Brothers, had too many Heads

His Character.

Misfortunes.

(*a*) Third Vol. of Chron. fol. 506.

Heads to cut off before he could ſet the Crown upon his own: But, if he did not aſpire to the Throne, it is certain that he endeavoured to reign in effect, by governing either the Prince or the People; but the Prince, tho indeed too much led by his ſubmiſſive Favourites, was nevertheleſs averſe from giving himſelf an imperious Governour: He therefore made his Application to the People, and by his inſinuating Behaviour, gained them over to depend entirely upon him, as the only Man in the World that both could and would protect them in oppoſition to the Favourites, the Miniſtry, and the King himſelf. The Favourites became by theſe means, and their own ill Conduct, the Objects of the publick Hatred, and againſt them at length the Duke and ſome other Princes ſet themſelves at the Head of an Army, defeated the King's Forces, put one of his Favourites to Death, and drove the principal one, the famous *De Vere* Duke of *Ireland*, out of the Kingdom. This was what the King could never forget; and mutual Jealouſies ſtill encreaſing, *Gloceſter* began to entertain Thoughts of dethroning his Sovereign (*a*), and of ſetting up another in his Room. The Perſon he pitched upon was indeed the next Heir of the Crown, and, failing Iſſue of the Body of King *Richard*, declared to be ſuch by Act of Parliament, I mean, *Roger* Earl of *March*, the Grandſon of *Lionel* Duke of *Clarence*, who was, next to the *Black Prince*, the firſt-born of all King *Edward* III. his Children. But the Earl of *March* was ſo honeſt, or ſo timorous, as to reject the Overture made to him; which did not hinder the ſeditious Duke from proſecuting his Meaſures in conjunction with the Cabal, who never doubted of finding out a King where a Throne was vacant. Neither was the Plot ſo ſecretly carried on, but that it was talked of and believed both at the Court of *France* and that of *England*, inſomuch that the *French* Ambaſſador told King *Richard*, that his Father-in-law heard with Regret of his exceſſive Indulgence to ſome turbulent and intractable Perſons about him, particularly to the Duke of *Gloceſter*. But it was no eaſy Matter to bring that Duke to a fair Trial, and yet more difficult to execute a Sentence upon him: The very Mob would have reſcued him from the Hands of Juſtice. Wherefore Methods were taken and executed towards carrying him off to *Calais*, where he was ſecretly put to Death. Upon this, moſt of the Princes of the Blood and Peers of the Kingdom took the Alarm, and both they and the inferior People expreſſed a manifeſt Tendency to a Revolt. But the King, being before-hand guarded againſt Force, by gentle Means brought the leading Men among the Malcontents to a friendly Accommodation. Henceforth King *Richard* ſeemed to reign abſolute Maſter of his Kingdom, and to reign legally to boot; for the Parliament went into all his Meaſures, and favourable Fortune afforded him a plauſible Pretence of baniſhing the only Subject he had now likely to diſturb the Peace of the Kingdom. This ſecond

(*a*) Froiſſard ſub fin. Oper.

Firebrand, formerly the Earl of *Derby*, had been lately honoured with the Title of Duke of *Hereford*. He was Son and Heir to the Duke of *Lancaſter*, the eldeſt alive of the King's Uncles, and had all the Qualifications of his Father, ſave that of Loyalty to his Sovereign. In this reſpect his good Nature was quite corrupted by the Maxims of, and intimate Correſpondence which he had ever cultivated with the Duke of *Gloceſter*; inſomuch that the Habit which he had acquired of ſpeaking with Contempt of the King and his Government, was not at all leſſened by the late Favours conferred upon him. He was therefore baniſhed to *France* upon a plauſible Pretence, as I have ſaid; but to the infinite Regret of all Ranks of People, eſpecially the *Londoners*, who, to the Number of 40000, conducted him out of the City, much lamenting his hard Fate, but more their own, as they ſaid, while he ſhould be abſent. This unuſual Affection (ſo inſolently expreſſed) of the People, was, as it ought to have been, a Warning to the King with reference to his After-conduct; but he made not the right Uſe of it. The Duke of *Lancaſter* died in the mean time, whoſe Eſtate he ought in good Policy to have ſettled upon his Son tho an Exile; but, inſtead of flattering him and the People with amuſing Hopes of Favour and Reconciliation, he exaſperated both by confiſcating a Part of his Eſtate, and prolonging the Time of his Baniſhment. From thence proceeded in a great Meaſure all the Clamours that were then raiſed, and are ſo copiouſly tranſmitted to Poſterity, by ſome ancient, and moſt modern Writers. Theſe could not but be carried to the King's Ears, who nevertheleſs, deſpiſing the impotent Malice, as he thought, of a broken Faction, went over to *Ireland* in order to reduce ſome Natives who were impatient of the *Engliſh* Yoke, leaving *England* unguarded, a fair Field for his Enemy to enter upon in his Abſence. Accordingly the now Duke of *Lancaſter*, being invited by a Party in *England*, and encouraged by *Thomas Arundel* Archbiſhop of *York*, who had alſo been baniſhed deſervedly, as the Event ſhewed, took Shipping, and landed at *Ravenſpur* in *Yorkſhire* with no more than 20 Lances; ſo much did he confide, ſays Mr. *Echard*, *in the Juſtice of his Cauſe and the Favour of the People*. The Truth is, whatever Confidence he had in the firſt, he was not miſtaken in his Hopes of the laſt. All Towns opened their Gates at the Approach of their Deliverer, as they called him, and the giddy Populace flocked to him from all Countries; and he, to heighten in them the Pleaſure of Novelty, unmercifully, and without any Shadow or Pretence of Law, cauſed the Earl of *Wiltſhire*, Sir *John Buſhy*, and Sir *Henry Green*, to be beheaded the very next Day after they had fallen into his Hands. This Act of rebellious Cruelty was highly applauded by the gazing Multitude, the ſame Multitude who ſometime before, ſo heartily deteſted the want of Formality in the Death of a Traitor. So great a Difference do ſome People make between the ſame or the like Actions of a law-

lawful Prince and an illegal Uſurper. Thus began the ſo much longed for Revolution; it ended in worſe. The King came in the mean time unadviſedly from *Ireland*, and finding that his Uncle the Duke of *York*, and moſt of thoſe entruſted by him with the Management of Affairs, had deſerted to the Enemy, he alſo abandoned himſelf. The Ingratitude of his Relations and Servants, and the Diſloyalty of his Subjects in general, ſunk ſo deep in his Mind, that he had neither the Courage to die like a Sovereign with his Sword in his Hand, nor the Wiſdom to preſerve his Perſon for better Times; either by returning to *Ireland*, where he had lately obliged a numerous Party, or withdrawing to *France*, where King *Charles* his Father-in-law had no doubt received him with open Arms, and where, if any Honour or Piety were remaining among thoſe in his Service, he had ſtill Towns, Countries, Fleets and Armies at his Command. But it was his Fate and that of *England*, that he muſt be undone, and that a Civil War, in all Reſpects the longeſt of its Kind, and in ſome, the bloodieſt that ever was ſeen, muſt be entailed upon the improvident deluded Nation. It was not long before he ſurrendred firſt his Perſon and then his Crown to the Invader, who muſt be owned to have been an Uſurper, altho King *Richard* had demitted willingly, as he did not, or had been depoſed legally, as he could not be. This is plain, ſince the Earl of *March*, the undoubted Heir of the Crown, becauſe deſcended from *Lionel*, an elder Son of King *Edward* III. than the Duke of *Lancaſter*, was alive, and the Parliament was told ſo much by *John Mark* Biſhop of *Carliſle*, *the only honeſt Man*, ſays Sir *Walter Rawleigh*, *who ſat in it*. A ſhort Time ſhewed, that that Prelate, who made a noble Speech upon the Subject often publiſhed by loyal Pens, had Reaſoned well and gueſſed right. But when a prevailing Party is predetermined to work their Deſigns, tho never ſo impious and unreaſonable, nothing can ſtop the irreſiſtible Torrent, no Reaſoning is heard, no Rhetorick uſeful: Should Angels deſcend from Heaven, and Prophets ariſe from the Dead to argue againſt, and predict the fatal Conſequences of the Meaſures reſolved on, Angels and Prophets (I beg Pardon for ſo bold an Expreſſion,) would be hiſſed out of the Aſſembly: At leaſt it fared ſo with the Biſhop of *Carliſle*. For the extorted Reſignation and Ceſſion of the unfortunate *Richard*, having been read in Parliament, they not only approved of it, but laying hold on the lucky Opportunity of debaſing the Majeſty, and infringing the Rights of Kings, they drew up an infamous Libel againſt him, and then pronounced a ſolemn Sentence of Depoſition. Upon this, the Duke of *Lancaſter* claimed the Crown, and challenged the Realm (*a*), *als deſcendit be right Lyne of the Blode comeynge fro the gude Lord* Henry *Therde*; then he ſhewed the Signet of King *Richard*, as a Token of his Will with reſpect to the Perſon of his Suc- He depoſed.

(*a*) See Dr. Brady's Hiſt. of the Succeſſ. of the Crown, p. 383, 384.

ceſſor. Upon theſe pretended Conſiderations, the Eſtates conſented that he ſhould reign over them, which he did accordingly by the Name of *Henry* IV. But becauſe theſe Conſiderations were ſo evidently lame and frivolous, to ſtrengthen his Title, upon the Day of his Coronation, (which was the 13th of *October*, the ſame Day Twelve Month that he had been baniſhed by King *Richard*,) he emitted a Proclamation, claiming the Kingdom of *England*, 1mo. *By Right of Conqueſt.* 2do. *Becauſe King* Richard *had reſigned his Eſtate, and deſigned him for his Succeſſor*; And Laſtly, *Becauſe he was of the Blood Royal, and next Heir-male unto King* Richard. Thus we ſee, how natural it is for ſeditious Parliaments, (I ſpeak not of good ones) when the Perſons of Kings are depreſſed, to aſſume to themſelves a Power more than ſovereign, by pretending to impeach and condemn Sovereignty it ſelf. They had no doubt alſo pretended to elect a Succeſſor in the preſent Caſe, but the Uſurper would not complement them ſo far as to acknowledge himſelf their Creature; rather than to found his Title upon their Votes, he had Recourſe to the *Donation of, and Proximity of Male Blood* to the ſo much deſpiſed King *Richard*, nay and to Conqueſt it ſelf. So true it is, that Uſurpers, whoſe Titles are ever precarious, ſet up for, and make themſelves really Conquerors, when they can; at leaſt they rule by the Sword, and are often obliged to unſheath it. Witneſs, among others, this King *Henry*, whoſe Reign, tho againſt his Will, was one continued Series of ſecret Plots, open Wars, cruel Executions, and Exactions infinitely more heavy than thoſe complained of in the Time of his Predeceſſor. I ſhould digreſs too far if I offered to relate them; I ſhall only obſerve by the by, that the very firſt Conſpiracy, which broke out very ſoon after the Inauguration of the new King, made a Crime no leſs than Regicide ſeem neceſſary: For the depoſed Sovereign being removed from the Tower of *London* to *Pontfract* in *Yorkſhire*, was there inhumanely murdered, by whoſe Orders ſcarcely any Body could doubt, tho great Pains were taken to perſwade the People that he had ſtarved himſelf. No leſs Care was had to convince them that he was really dead, his Corps being with that Deſign for 3 Days expoſed to publick View. Yet there were thoſe, who would not be convinced, and ſeveral deſigning Men improved that popular Error ſo far, as to give out, that King *Richard* was ſtill alive: Nay, there was one in *Scotland*, who pretending to be the Perſon, ſet up for him and aſſumed his Name; as if Providence had permitted the Uſuper of his Throne, and in all Probability Raviſher of his Life, to be haunted and plagued by his Ghoſt.

And murdered by Orders of the Uſurper of his Crown *Henry* IV.

The *Scots* invade *England*.

The *Scots* were not idle, nor altogether unconcerned Spectators of theſe Abominations. The laſt Truce made by the Duke of *Rotheſay* and the late Duke of *Lancaſter* expired at *Michaelmaſs*, that is, on the 29th of *September*, when the depoſing Parliament of *England* was ſitting, and the *Scots* Borderers laying hold on that double

Oppor-

Opportunity offered to them (*a*), invaded their Enemies Country, over-ran a great deal of it, and took and demoliſhed the Caſtle of *Werk*. The new King *Henry* thought not fit to reſent this Injury: Being as yet unſettled upon his tottering Throne, he endeavoured by all means poſſible to purchaſe the Amity of his Neighbours, and to convince them of the Neceſſity of the Revolution which he had effected in *England*. With this View he diſpatched Ambaſſadors to all the Courts in *Europe*; and the Perſon employed to treat with the King of *Scotland* or his Commiſſioners, was (*b*) his Brother the Earl of *Weſtmoreland* Marſhal of *England*, who had Orders to propoſe, that even in Time of War, the Towns of *Penreth* in *England*, and of *Drumfries* in *Scotland* might be free from Plunder or Burning; provided that ſuch a Privilege, *added he*, be not inconſiſtent with the Form of the Truce agreed to. Thus he was pleaſed to ſuppoſe, that the Truce ratified in the Beginning of the Year by Richard *late King of* England, *and his Adverſary of* Scotland, as he called them, was ſtill in Being; nay, he afterwards named more Commiſſioners (*c*) to meet with thoſe of *his Adverſary of* Scotland, in order to redreſs the Grievances of both ſides, and to make up the Breaches of the Truce. But the *Scots* were ſo far from hearkning to theſe Propoſals, that on the contrary (*d*) they again invaded *England*, killed a great many Perſons and burnt ſeveral Villages and Towns. The *French* alſo (*e*) prepared for War, and their King *Charles* V. weak as he was, both in his Body and Mind, was ſo highly incenſed at the Unprincely Uſage King *Richard* his Son-in-law had met with, that he would not at firſt ſo much as admit the Ambaſſadors of King *Henry* into his Preſence. This laſt very much deſired (*f*), and earneſtly ſollicited, what *England* could never pardon his Predeceſſor for bringing about, a Match between his own Son and a Daughter of *France*, the very ſame who had been Wife to King *Richard*, but becauſe of her tender Years continued a Virgin. To this her Father would by no means condeſcend; yet being aſſured that his Daughter would be honourably remitted to him, was at length prevailed with, to declare (*g*) that he would obſerve the Truce formerly concluded between him and *his deceaſed Son* Richard *King of* England. The King of *Scotland* was comprehended (if himſelf thought fit) in this Treaty, as in all others entred into by *France* and *England*; and King *Henry* failed not (*h*) to ſend Ambaſſadors to him, to let him know ſo much, and to ask whether he would accept of the Terms or no: But ſtill the King of *Scotland* refuſed to comply; and I find two very provoking Motives which probably made him ſo averſe to the Accommodation offered. Perhaps he had notice that King *Henry*, in Imitation of his Predeceſſors, had entred into

Henry IV. of *England* courts the Friendſhip of *Scotland*

and *France*

A.D. 1400.

Robert III. incenſed againſt *Henry* IV.

(*a*) Walſing. p. 362. (*b*) Fœd. Angl. Tom. 8. p. 103, (*c*) Ib. p. 113. (*d*) Ibid. p. 125. (*e*) Ib. p. 123, 125, (*f*) p. 128. (*g*) Ib. p. 129 and 132. (*h*) Ib. p. 134.

Donald of the *Isles* in League with the King of *England.*

a Treaty (*a*) with his rebellious Subject, as he reckoned him, *Donald* Lord of the *Isles*, and *John* his Brother, who with 100 Horsemen in their Retinue went this Year by Sea to the Court of *England*; and 'tis certain that he was hugely displeased with the Protection granted by the same King *Henry* to *George Dunbar* Earl of *March* another of his Subjects, who also with 100 Horse in his Retinue (*b*) withdrew to *England*, and in pursuance of an Agreement with the Earl of *Westmoreland*, renounced his Allegiance to the Crown of *Scotland*. The Occasion of that Lord's Revolt is related by *Scots* Authors after this Manner.

Dunbar Earl of *March* becomes a Subject of *England.*

Occasion of his Revolt.

The King (*c*), in Consideration of a large Sum of Money, a Part of which he actually received, had been pleased to promise his eldest Son the Duke of *Rothesay* in Marriage to the Lady *Elizabeth Dunbar* Daughter to the Earl of *March*. Why he did not rather find out for the undoubted Heir of the Crown, a more opulent, and at the same Time more equal Match with some foreign Princess, I can see no Reason, save that he himself had also married a Subject, a thing unprecedented, at least since the Reign of *Malcolm* II. and never afterwards imitated by any Prince of the Blood Royal of *Scotland*, who was sure to succeed in the Throne. But he did or permitted what was yet worse; which shews that he was decling in his Authority and Judgement as well as Years. The Earl of *Douglas* was nettled at the Honour done to a Rival Family, and endeavoured all he could to obstruct its nearer Alliance to the Crown than that to which his own could pretend. He alledged, that the Consent of the States was not obtained in the case, which no Man, says *Buchanan*, ever remembred, but was asked in any of the Kings Marriages before. A groundless Assertion, for which, I dare say, *Buchanan* could cite no Voucher. The Truth is, he applied to the Duke of *Albany*, who being at the Helm of all Affairs at the Time, prevailed with the King and Council, which, as *Boethius* has it, was privately conveened, to rescind the former Contract, and to substitute the Lady *Marjory Douglas* Daughter to the Earl of that Name, in place of Lady *Elizabeth Dunbar*. Nay, so unjust was the King, or rather the corrupted Ministry, to the Earl of *March*, that they would not repay the Money he had laid out in part of payment of the Portion of his injured Daughter. His high Spirit being unable to brook so signal an Affront, he chose rather to be bravely Criminal, than, as he thought, ingloriously Innocent: He therefore committed his strong Castle of *Dumbar* to the Care of *Robert Maitland* his Nephew, and withdrew to *England*, as I have related. When he was there, he entred into a close Correspondence and Friendship with Sir *Henry Percy Hotspur*, and some others of that Name and Family, all mortal Enemies to the House and Name of *Douglas*. In conjunction with these he made an Incursion upon the *Douglas*'s Lands, and

Buchanan confuted.

(*a*) Ib. p. 146. (*b*) Ib. p. 131, 133. (*c*) Joan. Maj. Fol. 122. Buchan. p. 326. Boet. Fol. 337.

and thought to have re-entred his own Caſtle; but miſſed of his Aim, his Nephew having before by the King's Orders delivered it into the Hands of his Rival. This Diſappointment exaſperated him more than ever, inſomuch, that tho the King promiſed to do him Juſtice agreeably to Law, and invited him to return to his Eſtate and Allegiance, he abſolutely refuſed to comply; and King *Henry* at the ſame time refuſing to give him up, in regard that he had given the publick Faith for his Protection, and would not break his Royal Word, the War formerly begun, was neceſſarly proſecuted.

War between *Robert* III. and *Henry* IV.

The Campaign was opened by the Earl of *March* and Lord *Percy*, who, with 2000 Men, had the Boldneſs to enter *Lothian*, and advance as far as *Haddington*, where they did much Damage. They alſo laid Siege to *Hales* Caſtle, but in vain. From thence they came to *Linton*, but were ſuddenly alarmed with the News that the Earl of *Douglas* was hard at hand. Upon which, leaving their Prey and all their Baggage behind them, they retired with Precipitation and never halted till they reached *Berwick*. About the ſame time, the *Scots* Admiral Sir *Robert Logan*, who had undertaken to deſtroy the *Engliſh* Fleet, eſpecially ſuch of that Nation as preſumed to fiſh upon the *Scots* Coaſt near *Aberdeen*, had the Misfortune to loſe ſome of his Ships, which fell into the Hands of the Enemy: And the *Engliſh*, being encouraged with this Succeſs, invaded and plundred ſome of the Iſlands of *Orkney*, tho as yet belonging to the Crown of *Norway*, becauſe they were in Amity with *Scotland*, and ruled by a *Scots* Governour, *Sinclair* Earl of *Orkney* and *Caithneſs*. Theſe were but the *Præludia* to a more mighty Attempt, which King *Henry* thought fit to make, with Deſign to divert the Eyes and Humours of his People, from the late bloody Executions which he had occaſioned or commanded; and this he did, ſays Mr. *Echard* (*a*), by an Expedition into *Scotland*, occaſioned by the unreaſonable Demands of the King of that Country, who would have no Peace, unleſs King *Henry* delivered up the Earl of *March*, contrary to his Royal Promiſe and Protection; as if, ſays *Buchanan* (*b*), a private Paction with a Renegado, was to be more religiouſly obſerved, than that which had been publickly confirmed by Ambaſſadors and Heraulds; for, adds he, the Truce made with King *Richard* was not yet expired. In this *Buchanan* and other *Scots* Writers are miſtaken, and thereby injurious to the King of *England*; for I have ſhewed from ſeveral Records, that the Truce was expired, that the King of *England* very much urged that it might be renewed, and the *Scots* were the firſt who entred upon Action. For this laſt Reaſon King *Henry* again and again complained (*c*) that the *Scots* had broken the Truce: But he muſt needs mean that which was concluded by his Predeceſſor and the King of *France*, (wherein indeed the King of *Scotland* was comprehended,

(*a*) p. 421, 422. (*b*) p. 327. (*c*) Fœd. Angl. Tom. VIII. p. 125 & 147.

hended, if he himſelf had a mind to be ſo,) and not that which had been made by his Predeceſſor and the King of *Scotland*: But becauſe this laſt was ſtill an Ally of *France*, it ſeems the Kings of *England*, when themſelves were not diſpoſed for War, laid hold of that Pretence to exclaim againſt him as a Breaker of the Truce. However, King *Henry* being now ready for his intended Expedition (*a*), iſſued his Orders, commanding all his military Tenents to attend him by a certain Day, and ſtrictly forbidding any manner of Hoſtility to be committed againſt the *French* or their Allies, the *Scots* only excepted, who, ſaid he, both in his Predeceſſor's Time and his own, had violated Truces, (he ſhould have ſaid, rejected ſuch Truces as they had no mind to be comprehended in,) and done immenſe Damages to the Kingdom of *England*. He came to *Newcaſtle* by the 25th of *July* (*b*), and when he was there, perfected the Agreement formerly made by his Brother and the Earl of *March*. This laſt, now an open declared Enemy to his King and Country, obliged himſelf, in a formal *Indenture* paſt between him and King *Henry*, to give that Prince all the Homage, Fealty, and Service which he ever owed, ſwore or paid to Robert *pretended King of* Scotland; and King *Henry* obliged himſelf to grant to the Earl of *March* and *Chriſtine* his Wife and their Heirs male, the yearly Revenue of 500 Merks *Sterling*; for Security of which, he put them in poſſeſſion of the Lordſhip of *Somerton* in the County of *Lincoln*, and gave them a Right to the Cuſtoms of St. *Botulph*; he alſo gave them, during their Lives, the Mannor of *Clippeſton* in the Forreſt of *Shirwood*. The next thing he did, was to write a Letter (*c*) to the King of *Scots*, and another to the Prelates, Nobles, *&c.* of *Scotland*, requiring them to meet him at *Edinburgh* by the 23d of *Auguſt*, in order to pay the Homage due to him as their ſuperior and direct Lord: "For, ſaid he, ſince the "Time of *Locrinus* the Son of *Brutus*, the Kings of *Scotland* did Ho-"mage to thoſe of *Britain* and *England*, as did lately King *William* "to *Henry* II. and *John* his Son, King *Alexander* to *Henry* III. and "*Edward* I. *John Baliol* to the ſame King *Edward* I. and *Edward* "*Baliol* to *Edward* III."

Agreement between *Henry* IV. and the Earl of *March*.

No Homage due by *Scotland* to *England*.

How falſe or frivolous all theſe Inſtances of *Scotland*'s Dependency are, whoever has peruſed the firſt Volume of this Work muſt needs know. The Story of *Locrinus* is a mere Jeſt, and the King of *France* might have named as many Kings of *England* who paid Homage to his Predeceſſors, as there were Kings of *Scotland* who paid Homage to thoſe of *England*. But tho Homage had been due to the Kings of *England* in general, (as I have proved from *Engliſh* Authors and Records that it was not,) yet this King *Henry* being himſelf an Uſurper of the *Engliſh* Crown, had no Title to it; and the *Scots* could not have transferred their Allegiance from the rightful Heir to him, without involving themſelves, together with the *Eng-*

(*a*) Fœd. Angl. Tom. VIII. p. 146, 147. (*b*) Ib. p. 153. (*c*) Ib. p. 155, 156.

Engliſh, in the Crimes of Rebellion and Perjury. However, the reviving of this chimerical Claim, and the Title of King given by *Henry* and all his Succeſſors Kings of *England*, to *Robert* and all his Succeſſors Kings of *Scotland*, ſhew, that the pretended Reſignation of the two *Baliols* in favour of *Edward* the Firſt and Third, was now laid aſide: Nor do I find, that it was ever afterwards inſiſted upon, tho, in my humble Opinion, it gave the Kings of *England*, if not a more juſtifiable, at leaſt a leſs ridiculous Pretenſion to the Property of the Kingdom, than the exploded Fables concerning *Brutus*, *Arthur*, *Athelſtane*, *&c.* or the more modern Inſtance of Homage extorted by Force, or paid only for *Engliſh* Territories, could give them to a Superiority over the Kings of *Scotland*. What Return was made to theſe Letters I ſhall juſt now relate.

King *Henry* was in one Reſpect as good as his Word (*a*), for with a well ordered and numerous Army, (againſt which the Duke of *Albany*, who governed all in *Scotland* at the time, had his own Reaſons to make no Oppoſition,) paſt the Borders, and was at *Edinburgh* before the Day (*b*) which he had appointed. This appears from another Letter, written by him to the *King of* Scots, dated at *Leith* the 21ſt of *Auguſt* 1400. By that Letter we are informed, that the Duke of *Rotheſay*, who was then in the Caſtle of *Edinburgh*, had ſeen the two former ones, which King *Henry* had written to the King and Community of *Scotland*, and that he had made an Anſwer to them, fiery as his Temper, and haughty as the Provocation required. The Duke gave him no higher Title than that of *his Adverſary of* England; no doubt, becauſe the *Scots* had not yet owned him as King. He told him, "That it was "Matter of Wonder, that he or any other but the King his Father, "ſhould pretend a Right to the Independent Crown of *Scotland*, "and ſhould thereby occaſion the letting out of ſo much Chriſtian "Blood as muſt needs be ſpilt in a Quarrel ſo evidently unjuſt. "And laſtly, to avoid the one, and decide the other, he offered "to meet him where he pleaſed, and to fight him with 3, 4 or "100 Nobles on each ſide." But King *Henry* being at the Head of an Army much more numerous than all *Scotland* could raiſe, did not think fit to deprive himſelf of that certain Advantage; nor was he of Humour, as brave as he muſt be owned to have been, to venture his Perſon for ſo uncertain a Proſpect. He therefore contented himſelf to make this inconſequent Anſwer, *That it ſeemed the Duke of* Rotheſay, *who profeſſed ſo much Averſion to the Effuſion of Chriſtian Blood, and yet propoſed a Combat of Nobles, did not think that Noble Blood was Chriſtian.* While he lay (*c*) before the Caſtle of *Edinburgh*, the Duke of *Albany* ſent an Herauld to him, aſſuring him upon Honour, *That if he would wait his Coming, within ſix Days he would give him Battle, and force him to raiſe the Siege,*

Henry IV. invades *Scotland* to no purpoſe.

Memorable Letters ſent to and from *Henry* IV. of *England* and *David* Duke of *Rotheſay*.

(*a*) Echard, Buchan. loc. cit. (*b*) Fœd. Angl. Tom. VIII. p. 157. (*c*) Echard, Buchan. loc. cit.

or elſe would loſe his Life. This Meſſage of the D. of *Albany* was much more agreeable to the Inclinations and Deſign of King *Henry*, than the Letter which he had received from the D. of *Rotheſay*. He was ſo well pleaſed with it, that he is ſaid to have rewarded the Herauld with a Chain of Gold, promiſing him, upon the Word of a King, not to depart from thence during the appointed Time. This Aſſurance was no leſs acceptable to the deſigning Duke, according to ſome Authors, than his Meſſage had been to the King; for he hoped, that within that time the Caſtle would be taken, and in it the Duke of *Rotheſay*, than which nothing could more contribute to the ambitious and unnatural Project he had formed, of cutting off all thoſe that ſtood in his Way to the Throne of his aged and valetudinary Brother. This appeared, add they, by the ſlow Steps he made, towards either the Relief of his Nephew, or Defence of his Country. But it pleaſed God that he miſſed of his Aim. The Duke of *Rotheſay*, by his vigorous and brave Reſiſtance, preſerved himſelf and the ſtrong Fortreſs which had been truſted to his Care; and King *Henry*, after he had waited many more than ſix Days, without any Appearance of an Enemy in the Field, was by Colds, Rains, Sickneſs, and want of Proviſions, obliged not only to raiſe the Siege, but to march back to *England* without any Battle or Skirmiſh offered, and indeed without doing any notable Damage either in his Progreſs or Retreat. This uncommon Lenity and Moderation in ſo powerful an Enemy, is mentioned and deſervedly extolled by *Scots* Writers, who aſcribe it to a Senſe of Gratitude which he preſerved for the ſeaſonable Civilities done by the *Scots* to the Duke of *Lancaſter* his Father, during his Exile from the *Engliſh* Court. I am far from inclining to diminiſh the Merit of a generous Action, and I doubt neither of King *Henry*'s Gratitude nor of his Humanity, eſpecially when unconſtrained, or rather improved by Reaſons of State, as on this Occaſion; for he had ſo many domeſtick Enemies, that it was certainly his Intereſt to live in Peace with his Neighbours. The *Scots* had often before rejected all Overtures tending to an Accommodation with him, and he knew that they were not to be bullied into his Meaſures. Had he laid waſte their Country, they had, conformably to their uſual Cuſtom, followed him into his own, and would never have put up their Swords, till by a retaliating Invaſion they had made up their Loſſes. But his gentle Behaviour ſweetned their Humours, and they offered to him, or accepted from him a Truce, which (*a*) beginning on the 9th of *November*, was to laſt ſix Weeks. During this Interval of Time Commiſſioners for both Nations met again at *Kelſo* (*b*), and on the 1ſt of *December* agreed to another, but how long it was to laſt I know not, becauſe the Record in which it is mentioned, containing only King *Henry*'s Confirmation, does not expreſs the Length of its Continuance but in indefinite Terms.

Truce with *England.*

(*a*) Fœd. Angl. Tom. VIII. p. 166. (*b*) Ib. p. 185, 189.

I have Reaſon to think that it laſted only one Year, and a very fatal Year that was to the Nation and Royal Family.

Archbald, the ſecond of that Name, Earl of *Douglas*, was dead ſometime before, very unſeaſonably both for the King and Country (*a*); and now he was followed as unluckily, firſt by Queen *Annabilla Drummond*, a Daughter of the noble Family now of *Perth*, then of *Stobhall*, a Lady of incomparable Worth; and afterwards by *Walter Trail* the Biſhop of St. *Andrews*, an excellent Prelate, by whom the Eccleſiaſtical Authority and Church Diſcipline had been vigorouſly maintained, as were till now the Decency and Splendor of the Court by the Queen, and the military Concerns by the Earl of *Douglas*. It had been the Queen's conſtant Care to reſtrain the youthful Sallies of her Son the Duke of *Rotheſay*, a Prince, as appears by what I have related concerning him, extremely brave, and not unfit for Negotiations and Treaties; but otherwiſe of a Diſpoſition rather luſtful than amorous, exceſſively bent upon his Pleaſures, and pleaſing himſelf with nothing ſo much as Variety in his Affections. The King his Father, an old valetudinary Man, and naturally too indulgent, now he wanted the Aſſiſtance and Counſel of the Queen, Biſhop and Earl I mentioned but now, had not Authority enough; and the Duke of *Albany* had too much, but had no Mind to uſe it for the Advantage of an Iſſue he meant to deſtroy. Thus the young Prince, by being free from all Reſtraints, gave way to his moſt diſorderly Paſſions, and the Chaſtity even of Noblemens Wives and Daughters was not ſafe from his Allurements or Violence: Nay he debauched or raviſhed ſome Virgins who were dedicated to the Service of God, and by Solitude, Prayer, Faſting, Watching, high Walls and lonely Cloyſters ſecured (at leaſt one would think ſo) againſt Temptation. Daily Complaints of the Prince's Exorbitancies were carried to the Ears of the King, who at length gave Orders to the Duke of *Albany* to put him for ſome time under Arreſt, till he ſhould make amends for bypaſt Offences, and learn that he muſt offend no more in that manner. The Duke had more than one Reaſon (*b*) to receive theſe Orders with Pleaſure; for, beſides his Ambition to Reign, he was in perpetual Fear of being himſelf cut off by his Nephew: And what is it that Ambition and Fear lodged together in one Breaſt will not attempt? The Apprehenſions he lay under had been ſuggeſted to him by one *John Ramorgny*, a Villain, who firſt endeavoured, but in vain, to perſwade the Prince to aſſaſſinate the Duke; and then told the Duke, that his Ruin was unavoidable, if ever the Prince ſhould come to be King. His Plot was ſeconded by the Reſentment of the Lord *William Lindſay*, whoſe Siſter the Duke of *Rothſay* had promiſed to marry, but diſappointed her, as well as the Daughter of the Earl of *March*: An Affront neither of theſe Noblemen could brook, and ſuch as indeed

A.D. 1401.

David Duke of *Rotheſay* impriſoned.

(*a*) Boet. fol. 338. Holinſh. p. 308. Buchan. 329. Joan. Maj. fol. 123. (*b*) Ib. f. 124.

deed is not to be offered to any, but more eſpecially to Perſons of Honour and Quality. But Honour and Quality ought to give place to Allegiance and Duty; and did not *Revenge belong to th Lord*, whoſe impartial Juſtice finds always a fit Time for redreſſing he Injured, and for puniſhing the Crimes of Sovereigns as well a of Subjects; yet private Reſentment cannot in Reaſon be though lowable, when, as in the preſent Caſe, the Publick muſt b hereby affected: Nay, let the corrupt World think what they will, the Sages will ever aſſert, that there is more Honour in Cou age and Magnanimity, in heartily forgiving, than in meanly enging an Offence. But it ſeems the Perſons I ſpeak of thou therwiſe; for, purſuant to the King's Orders, the Prince was ſted, and confined a cloſe Priſoner in *Falkland*, a Caſtle belonging o his outrageous Uncle the Duke of *Albany*, who laying hold o he wiſhed for Opportunity, commanded him to be ſtarved t death. *Richard* II. King of *England* had been treated ſome Year efore in the ſame manner, by Perſons yet more obliged to honou is royal Dignity and ſacred Perſon; and that ſucceſsful Preceden ade the Duke and his Emiſſaries hope that the People of *Scot land* would ſuffer the ſame Trick to be put upon them, which hac paſt ſo current among the People of *England*. But there were thoſe who very ſoon diſcovered the villainous Stratagem, and two Women, a Maid and a Nurſe, endeavoured to render it ineffectual. The Maid furniſhed him from time to time with Oat Cakes, which being made very thin and folded up together, ſhe put under a Linen Vail careleſly caſt over her Head, to skreen her, as ſhe pretended, from the Sun, and ſo taking her Walk in the Garden adjacent to the Caſtle, would thruſt the Cakes into the Priſon through a ſmall Crany, rather than a Window. The Nurſe had often ſomething to do near the Walls of the Caſtle, where ſhe drew Milk from her Breaſt, and by a little Canal conveyed it into the Prince's Mouth. But both ſuffered (I may ſay) Martyrdom for their charitable Offices; for being diſcovered by the Guards, they were executed or murdered by the barbarous Policy of the Governour of the Caſtle, tho he was the Father of the Maid I mentioned firſt. Thus the unfortunate Prince being deprived of all humane Relief, could not think of prolonging his miſerable Life; he died, as was intended, but glorioufly, at leaſt in the Eyes of God, if we may give Credit to *Boethius* and others, who tell us, that for ſome Years Miracles were frequently wrought in the Church of *Lindores*, where he was interred; but that they ceaſed as ſoon as his Brother King *James* I. ſet himſelf to revenge his Murder. As for the King his Father, he knew it not till long after, no Body daring to be the Meſſenger of ſuch ſad Tidings; and when he knew it, he had not Power enough in his Hands to reſent it. But of this afterwards.

And ſtarved to Death.

And now the Truce was drawing to an End between the two Kingdoms of *Scotland* and *England*, both Nations began to prepare for

for War, and none were more forward at the Court of *England* than the *Scots* Refugees, namely the Earl of *March* and his Son *Gawin Dunbar*. Towards their Encouragement, King *Henry* (*a*) granted in the Beginning of this Year 1402, a yearly Penſion of 40 Lib. *Sterling* to the Son, and to the Father no leſs than 400, payable every Year while the War ſhould laſt with *Scotland*; during which, the Earl was obliged to entertain at his own Charges, 12 Men at Arms and 20 Archers on Horſeback. With this regular Band, and his other Aſſociates in Rebellion, he continually haraſſed the Borders of his Native Country, making a great Havock wherever he came (*b*). To ſuppreſs him there was more need of much Diligence than of numerous Forces; for which Reaſon, *Archbald* the Third of that Name, now Earl of *Douglas* in the Room of his Father lately deceaſed, received Orders to divide the Forces of each Country into ſmall Bands, and to appoint Commanders over them, who by Turns were to attend the Motions of the Enemy, and to act as Occaſion offered. One of theſe Chiftains, *Thomas Halyburton* Lord of *Dirlton*, had abundance of Succeſs: He entred *Northumberland*, and brought back a great Booty from the Places adjacent to *Bamburgh*. *Patrick Hepburn* younger of *Hales* was not ſo lucky; he penetrated farther into the Enemy's Country, and did more Miſchief to it; but being attacked in his Retreat at Weſt-*Nisbet* in the *Merſe*, by the Earl of *March* or his Son, was cut off, and with him the Flower of the Youth of *Lothian*, beſides *Robert Lawder* of *Baſs*, two of the Name of *Cockburn*, and as many of that of *Halyburton*, who were made Priſoners of War. This Loſs was the Occaſion of another much greater, which ſoon after followed upon it; for the Earl of *Douglas*, too ſollicitous of retrieving it, after he had ravaged (*c*) all *Northumberland* and *Cumberland*, was not only defeated by his Rival the Earl of *March*, and the famous Lord *Henry Percy Hotſpur*, but alſo wounded and made a Priſoner of War at *Homeldon* near a Village called *Waller*. I ſhall give the Detail of this unfortunate Battle, when I come to write the Life of the brave General who loſt it. *Murdoch Stewart*, eldeſt Son of the Duke of *Albany*, commonly called in Records, of *Fife*, and ſometimes Earl of *Fife*, and a great many more of the firſt Quality were made Priſoners with him; and *Scotland* had not in haſte retrieved the Misfortune of that Day, had it not by an unexpected Accident proved yet more calamitous to *England*.

A.D. 1402. E of *Dumbar* much careſſed in *England*. Does great Damage to his Native Country. Battle of Weſt *Nisbet*. Battle of *Waller*.

Not long after the Victory, King *Henry* (*d*) ſent his Congratulatory Letters to the Authors of it, namely to the old Earl of *Northumberland*, his gallant Son, and the Earl of *March*; nay he was ſo very grateful to the (*e*) Earl of *Northumberland*, that, in conſideration of his late good Service, he gave him a Grant of the Earldom of *Douglas*, the Valleys of *Eskdale*, *Lydſdale* and *Lawderdale*,

A.D. 1403.

(*a*) Fœd. Angl. Tom. VIII. p. 245. (*b*) Buchan. p. 328. Hiſt. of Dougl. p. 116. Joan. Maj. f. 124. (*c*) Fœd. Angl. Tom. VIII. p. 283. (*d*) Fœd. Angl. Tom. VIII. p. 278. (*e*) Ib. p. 289.

the Lordſhip of *Selkirk*, Forreſt of *Etrick*, and generally of all the Lands, Caſtles, Mannors, *&c.* formerly belonging to *William*, *James*, *Archbald*, and the preſent *Archbald*, Earls of *Douglas*. But he had theſe Countries to conquer with his Sword, before he could poſſeſs them in Peace; and that was not ſo eaſy a Task as King *Henry* imagined, who thought that Donation an ample Reward for all the good Offices done him by all the Branches of the Houſe of *Percy*. They thought otherwiſe, and (*a*) were particularly diſpleaſed at the King's demanding of them all the *Scots* Priſoners who had fallen into their Hands at the late Engagement. They had already delivered up to him the Earl of *Fife*; but tho they were ſeveral times required with Threatnings to part with the Remainder, would not do it, alledging that they had a legal Right to them, and deſigning to gain by their Ranſoms. The precarious Title of King *Henry* to the Crown, which he had obtained chiefly by their Aſſiſtance, encouraged them in their Boldneſs; the rather becauſe, *Owen Glendour*, a brave and daring Gentleman in *Wales*, had revolted from the *Engliſh* Sceptre, and made himſelf Maſter of the Perſon of *Edmond Mortimer* Earl of *March*, who, as I have already obſerved, was the lawful Heir of the Crown. The *Percies* caſting their Eyes upon that injured Prince, now, when it was too late, repaired to Court, and required of the King that he would procure his Liberty. The King made Anſwer, "That "the Earl of *March* was not made Priſoner for his Cauſe or Ser- "vice, but willingly ſuffered himſelf to be taken, becauſe he "would not oppoſe the Attempts of *Glendour* and his Accompli- "ces, therefore he would neither ranſom nor relieve him." This Anſwer ſo kindled the fiery Spirit of *Hotſpur*, that he cried out, *The Heir of the Realm was robbed of his Right, and the Robber would not allow him Part of his own for his Redemption*; and in a Fury the *Percies* departed the King's Preſence, reſolving to ſet up the Earl of *March*, whoſe Deliverance they not only procured, but alſo entred into a Confederacy with *Owen Glendour*, and the *Scots* Priſoners, particularly the Earl of *Douglas*, who by common Conſent was allowed to be free from Ranſom, and to have the Town of *Berwick* aſſigned him. He had all the Reaſon in the World to accept of theſe advantageous Terms, and how well he deſerved them I ſhall ſhew in his Life, where it will appear, that his Courage, ſeconded by that of *Henry Hotſpur*, had prevented the letting out of that Deluge of Blood which was afterwards ſpilt in the ſame Quarrel between the Heirs of King *Henry* and thoſe of *Mortimer* the *Engliſh* Earl of *March*, that is, the Houſes of *York* and *Lancaſter* had not the *Scottiſh* Earl of *March George Dunbar*, and his valiant Son, preſerved the Life of King *Henry* by their Bravery, and enabled him to gain the deciſive Battle of *Shrewsbury* by their Conduct. At this Battle *Henry Hotſpur* was killed, and the

Diviſions in *England*.

Fomented by the *Scots*.

The *Scots* E. of *March* ſaves the Life of *Henry* IV.

(*a*) Echard, p. 423, 424, &c.

the *Douglas* made a Priſoner the ſecond time; but was not, as *Engliſh* Authors tell us, for his Courage ſet at Liberty without Ranſom. But, if King *Henry* did not ſhew himſelf ſo generous, as is commonly reported, to his admired Enemy; I muſt do him the Juſtice to tell the World, that he was more grateful to his friendly Deliverers the *Scottiſh* Earl of *March*, and his Son Sir *Gawin Dunbar*, than any Author has known; for to the Son (*a*) he gave the Village of *Newburn* and Lordſhip of *Ham*; and to the Father (*b*) the Guardianſhip of the Mannor and Baronies of *Ryme* and *Crofts* in the County of *Lincoln*, and of all the Lands formerly belonging to the late *Henry Percy* (the Great *Hotſpur*) but now fallen to the Crown by reaſon of his Rebellion, till the Majority of the Son and Heir of Sir *Thomas de Umphraville* a *Scots* Man, at leaſt of *Scots* Parentage, deſcended from the ancient Earls of *Angus*; as alſo the Liferent of the Hoſpital of *Biſhopſgate*-Street in *London*, forfeited to the Crown by *Thomas Percy* late Earl of *Worceſter*. I have taken notice of this and the like Donations conferred by the Kings of *England* upon *Scotſmen*, to ſhew that in thoſe Days *Scotſmen* were valued at the *Engliſh* Court, and that their Defection from their native Country was rewarded with the greateſt *Præmiums*, no leſs than Lordſhips not only titular but real. Yet they were ſo far from being corrupted by theſe Bribes, as high and tempting as they muſt be owned to have been, that till now I find none of them guilty of that infamous Crime, but when the Competition between the *Bruce* and *Baliol*, or when the pretended Independency of ſome of them, as in the Caſe of the Lords of the *Iſles*, afforded them a plauſible Pretence. I wiſh I could ſay the ſame thing of the Generations enſuing.

Is nobly rewarded.

The Battle of *Shrewſbury*, for ſo the late Engagement was called, as advantageous as it was to King *Henry*, did not ſecure his Authority ſo well at home, as to make him indifferent with reſpect to his Neighbours abroad. He was more particularly ſollicitous to be in good Terms with the King of *Scotland*, becauſe it was commonly reported that King *Richard* was ſtill alive (*c*) in that Kingdom; and it is certainly true, that there was one in it at the time whom the *Scots* believed, or at leaſt gave out ſo, to be King *Richard* (*d*). He was ſaid to have made his Eſcape from the Caſtle of *Pontfract* in a Woman's Garb, and to have got over to *Ireland*; but that finding himſelf unſafe in that Iſland, he came from thence to *Galloway*, and entred into the Service of a Gentleman of the Name of *Mackdoual* in that Country; that after a ſhort Stay in that Gentleman's Family, he came to be known by another, who had ſeen him formerly at his own Court in *England*, and now thought fit to conduct him to that of *Scotland*, where King *Robert* entertained him more kindly than he deſired; for, as the Story is told, he had now laid aſide all worldly Thoughts, and was ambi-

Henry IV. of *England* embaraſſed by a Pretender in *Scotland*.

(*a*) Fœd. Angl. Tom. 8. p. 322. (*b*) Ib. p. 323, 324. (*c*) Walſingh. p. 370, 371. (*d*) Boet. f. 339.

tious of nothing but of a ſafe Retreat, where he might work out his Salvation by faſting and praying, and the like Exerciſes of Piety. He obtained what he deſired, and dying at length in the Caſtle of *Stirling*, he was interred in the *White Friars* Church, near the High Altar, where an Inſcription, put upon his Tomb long afterwards, teſtified that the *Scots* were willing to believe that he was no Impoſtor. However, the very Report of ſuch a Perſon's being entertained among them, made King *Henry* very uneaſy, and put the People of *England* in Hopes or Fears, according as they were affected, of his returning with an Army capable to effect his Reſtoration.

A.D. 1404. This Report (*a*) was ſtrengthned more particularly this Year 1404, by the Intrigues and Letters of one *Serlo*, who had formerly been a Gentleman of the Chamber to King *Richard*, and now poſitively aſſerted that he had ſeen him in *Scotland*. Among others the old Counteſs of *Oxford*, Mother to the Duke of *Ireland*, believed him, and did not only publiſh the Certainty of his Accounts, but likewiſe cauſed many Stags made of Gold and Silver, the former Badges of *Richard*, to be given to her Dependants, for which ſhe was impriſoned and her Secretary hanged. *Serlo* was alſo apprehended and executed, confeſſing, ſay *Engliſh* Authors, his Crime, and owning, that he might have lived happy at either of the Courts of *France* and *Scotland*, had not his Averſion to the preſent Government prompted him to diſturb it in that manner. Thus it was no Wonder that King *Henry*, in hopes to get the Impoſtor (if he was one) delivered up to him, left nothing untried to bring about a Peace or a long Truce with *Scotland*. With this View, he had laſt Year prevailed with (*b*) the *French* Ambaſſadors, who were at his Court on their Road to *Scotland*, not only to endeavour an Accommodation, but alſo to try whether the *Scots* would be comprehended in the Treaty of *Lelinghen*, which *Charles* King of *France* their Ally had ratified. But the King of *Scotland* continued, as before, to reject the Terms of that Truce, I believe becauſe it was too long in the Opinion of his Council. After this King *Henry* had twice (*c*) named Commiſſioners, once in *Auguſt* and again in *September*, to treat with thoſe of King *Robert* upon the Foot of the Agreement made at *Handenſtank*, by the Dukes of *Rotheſay* and *Lancaſter*; and at length King *Robert* was alſo perſwaded, but not till *May* 1404 (*d*), to appoint his Couſin Sir *David Fleming* and Sir *William* de *Murhede*, to treat with *his Adverſary of* England, (ſo he called King *Henry*) or his Commiſſioners, concerning the Redemption of the Earls of *Fife* and *Douglas*, impowering them likewiſe to conclude a Peace or Truce. The Commiſſioners of both Kings met at *Pont-*

Truce concluded. *fract*, and on the 6th of *July* (*e*) agreed to a Truce, which was to commence on the 20th of that Month, and to laſt till *Eaſter* the next Year; as alſo, that during that Interval of time, a Congreſs ſhould be

(*a*) Walſingh. loc. cit. Echard, p. 428. (*b*) Fœd. Angl. Tom. 8. p. 318. (*c*) Ib. p. 321, 322. (*d*) Ib. p. 359. (*e*) Ib. p. 363.

be held at *Handenſtank*, in order to a more complete and ſatisfying Treaty. The Commiſſioners appointed by King *Robert* to attend at this ſecond Meeting *(a)* were, *Matthew* Biſhop of *Glaſgow*, *James Douglas* Lord of *Dalkeith*, *David Fleming*, *John Stewart* of *Innermeth*, who were all honoured with the Appellation of his Couſins, *John* de *Edmonſton*, *William* de *Borthwick*, *Adam Forreſter* of *Corſtorphin*. Knights. Mr. *John Merton* Doctor of the Decretals, and Mr. *Walter Forreſter* Secretary of State, both Chanons, the firſt of *Glaſgow*, and the ſecond of *Aberdeen*. Whether theſe Plenipotentiaries met with thoſe of King *Henry* or no, I cannot tell; it is probable, that an unforeſeen Event, and a very unlucky one it was, hindred them from purſuing the Meaſures laid down to them.

Robert III. much grieved for the loſs of his eldeſt Son Prince *David*.

The old and valetudinary King *Robert*, had been by this time informed of the Death of his eldeſt Son the Duke of *Rotheſay*, but was ſtill at a Loſs to know the Author of it; who, tho he was ſufficiently pointed at by private Surmiſes *(b)*, yet, ſo great was his Power that no Body durſt accuſe him publickly. At length, the King ſent for him, and diſcovered his Suſpicions: But he denied all, nay offered to ſtand to his Trial. Accordingly he was tried, but by a packt Jury of his own naming, who failed not to acquit him. He did yet more to perſwade the World of his Innocency, for, having before hand impriſoned ſeveral Perſons for real Crimes, he afterwards cauſed them to be executed for that one, which himſelf had committed. But all the Cunning he was Maſter of did not ſerve his Turn; the King was ſtill ſuſpicious, and now finding himſelf by reaſon of his old Age, Sickneſs and Grief, almoſt unable to bear the very Light of Day, much leſs to ſit at the Helm of Affairs, he withdrew to his beloved Retirement and paternal Inheritance the Iſland of *Bute*, ſollicitous about nothing more in this World, but the Preſervation of his youngeſt and now only Son Prince *James*, a moſt hopeful Boy of about 14 Years of Age. He had been hitherto intruſted to the Care (not of *Walter*, as *Buchanan* has it, but) of *Henry Wardlaw*, Biſhop (and not Archbiſhop, as the ſame Author records it) of St. *Andrews*, an honeſt Man, and a worthy Prelate; who being of Opinion, that his Pupil could not be ſafe in any Part of *Scotland*, adviſed the King to ſend him over to *France*, in order to be educated at that polite and friendly Court. This Advice was followed, the rather becauſe the noble Entertainment afforded by King *Philip* de *Valois* to King *David* de *Bruce*, was ſtill freſh in the Minds and Memory of all *Scotſmen*. Accordingly a Veſſel was prepared, and the Prince, attended by a Biſhop, no doubt the ſame *Henry Wardlaw*, and *Henry Sinclair* Earl of *Orkney*, was privately put on board at the *Baſs*. He ſtood in need of no introductory Letters, nor previous Meſſengers to beſpeak a favourable Reception in any Part or Harbour of the Kingdom for which he was bound: The Son of the King of *Scotland* was certainly ſafe if he could but

Sends his ſecond Son to *France*.

(a) Ib. p. 369, 370. *(b)* Buchan. p. 331. Boet. f. 339.

ſet his Foot upon *French* Ground. But it was poſſible that he might be taken at Sea by the *Engliſh*, or by ſome croſs Accident, ſuch as Streſs of Weather or Sea Sickneſs, be obliged to touch ſomewhere in *England*; and in that Caſe it was very uncertain what ſort of Entertainment he would meet with. To remedy this Evil, if it ſhould fall out, the King his Father ſent Letters with him to the King of *England*, much complaining of his own hard Fate, who had one Son taken away by the moſt inhumane Barbarity, and was thus forced to find out a Sanctuary for the other in a foreign Soil. He alſo put him in mind of the Viciſſitudes of Fortune, and the tottering State of Mankind in general, but more eſpecially of Princes; endeavouring by all means to move his Compaſſion, and to perſwade him to obſerve the Laws of Hoſpitality. Indeed ſuch a Letter was very neceſſary, could it have been expected that it would be of uſe: For (*a*) as the Prince's Ship was ſailing by the Coaſts of *Northfolk*, ſhe was attacked by ſome *Engliſh* Mariners, who having made themſelves Maſters of her, conducted the Prince, Biſhop and Earl of *Orkney* to Court; from whence the Biſhop made his Eſcape, but the Prince and Earl were detained Priſoners, and committed to the Tower of *London*, becauſe, ſays *Holinſhed* (*b*) and ſome other *Engliſh* Authors, *they were taken time of War*: A falſe Aſſertion upon which even *Walſingham* does not venture. On the contrary he owns (*c*), that a Years Truce had been concluded ſometime before, and that in confidence of that Truce, the *Scots* ſent off the Son of their King. Beſides, I have ſhewed from authentick Records (*d*), that in *July* 1404 a Truce was agreed to, and appointed to laſt till *Eaſter* 1405. Now, that during this Interval of Time the Prince was taken, is evident from the Death of his Father, which happened on the 29th of *March* 1405: For, as all Authors agree, the News of the Captivity of the Son being brought to the Father's Ears whilſt he was at Supper in his Caſtle of *Rothe-ſay*, in the Iſland of *Bute*, that diſconſolate Monarch preſently fainted away, and was like to expire in the Hands of his Servants, who carried him to his Bed-Chamber, but could not prolong his Life above three Days; during which time, as his Mind could admit of no Comfort, ſo his Stomack could receive no Food. By this Account it appears, that he did not reign full 15 Years, tho all our printed Authors aſſert, that he died in the 16th Year of his Reign, *Buchanan* (*e*) particularly, who fixes his Death to the 1ſt of *April* 1406; an unpardonable Error, by which all After-writers have been miſled, and which ſhews, what I am ſorry to tell the World, that our *Scots* Authors have done nothing but copied after one another, without giving themſelves the Trouble either to look into Records, or to conſult Manuſcripts, elſe they could not have blundered ſo ſhamefully as I am obliged to ſhew that they do on this Occaſion. Had they conſulted that excellent MS. intitled, *Extracta*

Who is taken at Sea by the *Engliſh*.

Death of *Robert* III. A.D. 1405.

How and when it happened.

Buchanan confuted.

(*a*) Walſingh. p. 375. (*b*) p. 372. (*c*) Loc. cit. (*d*) Fœd. Angl. Tom. VIII. p. 363. (*e*) p. 333.

Extracta e Chronicis Scotiæ, they had found this chronological (tho barbarous) Epitaph, which was made upon King *Robert*.

Quadringenteno quinto mille ſibi juncto
A data Chriſti *anno, mortem ſubit iſte*
Tertius Robertus, Aprilis *quarto* Kalendas.

Or had they peruſed any Charter granted by King *James* I. they would have learned from the Year of his Reign in which the Charter was written when he was firſt called King, and by Conſequence in what Year his Father died. I ſay that it was in 1405, and I prove it thus from unqueſtionable Records. King *James* I. obliges himſelf to perform certain Articles agreed to, between him and *Charles* VII. King of *France* (*a*), concerning the Marriage of his Daughter *Margaret* at *Perth* the 19th of *July* and Year of God 1428, the 23d of his Reign, which conſequently muſt have commenced in 1405. By other Records it appears, that the Year of God 1424 was the (*b*) 19th of his Reign (*c*), that 1427 was the 22d, and that (*d*) 1431 was the 26th. That valuable Collection of *Scots* Charters made by the Earl of *Haddington*, and preſerved in the Advocates Library at *Edinburgh*, affords us as many Demonſtrations of the ſame Truth as there are Charters granted by King *James* I. in it. I have purpoſely looked into, and compared ſeverals of them together, and whoever will give himſelf the ſame trouble, will find that I am not miſtaken. So that nothing can be more evident, than that King *Robert* died, and King *James* was ſuppoſed, tho' in Captivity, to have begun his Reign at the preciſe Time I have mentioned. And this leads me naturally to the Diſcovery of another Error, no leſs material, and every where to be met with in *Boece*, *Major*, *Buchanan*, and indeed all others who have written upon the ſame Subject.

Error of *Scots* Authors.

They ſay that the Duke of *Albany* was made Governour of the Kingdom towards the End of King *Robert* II. his Father's Reign, and that he continued in the ſame Poſt during the whole Reign of his Brother King *Robert* III. The Reaſon they give for this, is founded upon the old Age of the one King, and the valetudinary Diſpoſition of the other, who having received a Stroak in his Leg from an unruly Horſe, was ever afterwards incapable of Action. 'Tis probable, that theſe concurring Circumſtances did give the more active ſecond Brother a larger ſhare in the Adminiſtration of Affairs, than was perhaps conſiſtent with the Authority of the Sovereign, or Wellfare of the Royal Family: For I am told, tho I have not my ſelf ſeen the Record which is ſaid to be kept among thoſe of the Houſe of *Douglas*, that in the Year 1389, when his Father was yet alive, he had the Title of *Guardian*, whether of

Robert Duke of *Albany* was not Governour of *Scotland* till the Death of King *Robert* III.

(*a*) Chart. penes Comit. de Winton. (*b*) Fœd. Angl. Tom. X. p. 343, 344. (*c*) Ibid. p. 376, 377. (*d*) Ib. p. 488.

Scotland, or (as ſeems to me more probable) of the Borders, I cannot tell; but that he had either the ſole Management of Affairs, as theſe Authors would inſinuate, or the Title of Governour, till this Year 1405, is abſolutely falſe, and will evidently appear to be ſo, to any that conſiders the whole Series of this and the preceeding Reign, as I have traced them, not from queſtionable Authors, but unerring Records. Thoſe Records ſhew, that both King *Robert* II. till the Year 1390 when he died, and *Robert* III. till this Year 1405, when he alſo left the World, did every Royal Act in their own Names, commiſſioning Ambaſſadors, ratifying Truces, concluding Leagues, enacting Statutes, *&c.* And the firſt time we find upon Record the Duke of *Albany* to have acted with any Appearance of the ſupreme Power, or to have aſſumed the Title of Governour (*a*), was in *September* 1405, unqueſtionably the Year in which the King his Brother died, and the young Sovereign being abſent and a Minor, he was raiſed to, or took upon himſelf the Name and Authority of Governour, as all After-evidences to which he put his Hand or Seal do evince. I ſhall inſtance in a few. We have one of his Letters written to the King of *England* on the 6th of *May* (*b*) 1410, which he himſelf ſays was the 5th Year of his *Government*. In *December* 1411, we find him giving a Warrant to treat about the Redemption of his Son Sir *Murdoch Stewart* (*c*), and that was, if we may take his own Word for it, the 6th Year of his *Government*. And by another of his Commiſſions granted to certain Plenipotentiaries (*d*) in *Auguſt* 1413, we find in the ſame manner, that that Year was the Eighth of his *Government*. To theſe authentick Vouchers I ſhall ſubjoin two more, which being more domeſtick, will, in the Opinion of ſuch as are unreaſonably poſſeſt with a Prejudice againſt all *Engliſh* Records, ſeem yet more convincing. The firſt is a *Precept* granted by the Duke of *Albany* (*e*) in favour of *Thomas Maule* of *Panmure*, Anceſtor to the preſent Earl of that Name, dated at *Perth* the laſt Day of *May* 1412, which, ſays he, is the 7th Year of his *Government*. The ſecond is a Charter alſo granted by him (*f*) to his *beloved Son* Malcolm Fleming *of* Biggar, Anceſtor of the now Earl of *Wigton*, and *to* Elizabeth Stewart *his Daughter*, dated, as before, at *Perth* the 8th of *June* 1413, the 8th Year of his *Government*. Thus it is evident, that the Duke of *Albany* dated the Beginning of his Government, as King *James* I. dated that of his Reign, from the Year 1405; by conſequence, that the laſt was in reality King as ſoon as his Father died, and that the former was not Governour during the Reign either of his Father or Brother, as our Authors aſſert.

The ſmall Credit, which, I think, ſuch Authors deſerve, makes me always timorous when I have no others but them to depend upon,

(*a*) Fœd. Angl. Tom. X. p. 414, 415. (*b*) Ib. p. 635. (*c*) Ib. p. 708. (*d*) Ib. Tom. IX. p. 45. (*e*) Penes Comit. de Panmure. (*f*) Penes Comit. de Wigton.

upon, and almoſt afraid that I my ſelf have been miſled by them in the Accounts which I have give given of the Death of the Duke of *Rotheſay*. The Reaſon I have for this Doubt is, becauſe I have ſeen no Author anterior to *Boethius*, who relates it in a manner ſo very injurious to the Memory of the Duke of *Albany*. *Andrew Winton*, who was contemporary with that Prince, ſpeaks always of him with great Reſpect, and tho he much regretes the Death of his Nephew, does not at all aſcribe it to him; neither does the moſt exact Author of the *Extracta e Chronicis* Scotiæ: He tells us indeed, that *Ramorgny*, a falſe deceitful Villain, tho otherwiſe a Man of good Parts, made it his Buſineſs to ſet the Nephew and Uncle by the Ears together, and that *Rotheſay* was arreſted by *Albany*, and confined to the Caſtle of *Falkland*, where he was detained *in a decent Room* till he died of a Dyſentery, or, adds he, as others gave out, of Hunger. He alſo tells us, that the Earl of *Douglas*, who was Brother-in-law to the Duke of *Rotheſay*, was one of thoſe who firſt commanded his Sword, which ſhews that he acted in concert with the Duke of *Albany*, and by Orders from the King. And it is obſervable, that that Earl, as brave, fierce and powerful as he was, did never reſent the Murder of one, who had he lived, would have raiſed his Siſter to the Quality and Power of a Queen: A Proof, at leaſt a Preſumption, that he did not believe it. I leave this however to the Enquiry and Determination of others; but am poſitively of Opinion, that tho the King might have been ſuſpicious of his Brother, as I doubt not but he was, and therefore thought fit to remove his ſecond Son from Danger, yet that the complaining pitiful Letter, which he is ſaid to have written to the King of *England* upon that Subject, is like many others of *Boethius*'s Compoſure and juſt as genuine as thoſe that paſt, (if we may give Credit to the ſame Author,) between the *Scots* King *Ederus*, and the *Roman* Emperor *Julius Cæſar*. Had King *Robert* made ſuch horrid Complaints, and inveighed ſo openly againſt his Brother, we had probably been told of it by *Engliſh* Authors, who (*a*) on the contrary ſay, that the only Reaſon given to King *Henry* for the Voyage of Prince *James*, was that he might be trained up in the politer Arts and Diſcipline of *France*. They add, that when this was told to their King, he turned merry upon it, and ſaid, "That if the *Scots* had been kind, they would have "entruſted him with the Education of their Prince; for, conti- "nued he, *I am not ignorant of the* French *Language*." To ſay the Truth, if he himſelf had not forced his good Offices and magiſterial Care upon an unwilling Pupil; and if his Succeſſor had not exacted too large a Retribution for the Aliment and Education which they were pleaſed to give, no Well-wiſher of the Royal Family could have grudged that the Chief of it had fallen into their Hands. But of this afterwards.

Doubtful by whom the Duke of *Rotheſay* was murdered.

Boethius Cenſured.

(*a*) Walſingh. loc. ſupra citat.

Character and Iſſue of *Robert* III.

I come now to the Character of King *Robert* III. which, if fairly drawn, will not look ſo mean as is generally believed. His outward Appearance was admirable, his Stature being tall and well proportioned, and his Face perfectly beautiful. His Life and Converſation were not only harmleſs, but exemplary. He was one of the moſt merciful of Princes, and moſt charitable of Men, eſpecially towards the Poor, in whoſe Perſons he honoured God, whom he alſo ſerved by exerciſing all the Practices of Piety, which the then eſtabliſhed Church recommended as proper to beget the Favour of Heaven. He was a dutiful Son to his Father, a tender Parent to his Children, a loving Husband, and therefore deſervedly bleſſed with an excellent Wife. By her he had two Sons, *David* Duke of *Rotheſay* and King *James* I. as alſo one Daughter, who was married firſt to *James Kennedy* of *Drummuir*, afterwards to *George Douglas* the firſt Earl of *Angus* of that Sirname; thirdly to the Lord *Graham*, and laſtly, as ſome ſay, to the Lord *Edmondſton* of *Duntreth*; to all whom, at leaſt to the Three firſt, ſhe had Children eminent for their Loyalty, Religion and Parts. The Earl of *Caſſils* has the Honour to be the Offspring of her firſt Marriage, the Duke of *Douglas* of the ſecond, and the Laird of *Fintray* of the third.

That King *Robert* her Father was lawfully born, others before me have evinced to the Conviction of all Men; but what others knew nothing about, I have alſo demonſtrated, *viz.* that long before his Acceſſion to the Crown he was conſidered as a brave Captain, and an able Stateſman, having been often and ſucceſsfully employed in both theſe Capacities: Nor did he degenerate from either, after he came to be King, ſince, I hope, I have convinced my Reader, that he acted as ſuch till the Hour of his Death; and that, tho his Brother might have had too much Authority, by reaſon of the Weakneſs of his Body, more than that of his Mind, yet that he enjoyed not the Office, much leſs the Title of Governour, while the King lived. Nay, I have ſhewed that it was then, and ſtill remains a Doubt, whether that unnatural Murder of the Prince his Son was really committed or commanded by his aſpiring Brother, who, if he had been convicted of the Crime, whether he would have come off without being puniſhed according to his Deſerts, to me ſeems no Doubt at all: For the Body and Bulk of the Nation were as yet entirely loyal, and if this King was not ſo much feared as ſome of his Predeceſſors, it is plain, that he was no leſs loved than the beſt of them; elſe a Brother, who dared to cut off his Son, would not eaſily have been deterred from revolting againſt, or dethroning himſelf; a freſh Example of ſucceſsful Regicide, I mean that of *Richard* II. of *England*, was not wanting to encourage him; and if he did not make the like Attempt, we muſt conclude that the Duke of *Albany* was ambitious as he is reputed to have been, was not quite ſo wicked as the

Duke

Duke of *Lancaſter*; or that King *Robert* was not ſo weak as King *Richard*; or in fine, that the *Scots* Nation was then, as ever before, much more dutiful to their Sovereigns than the *Engliſh*. I ſpeak of the *Scots* Nation in general, for (as *Boethius* obſerves) this King's Infirmity and old Age, which hindred him from viſiting in Perſon the different Parts of his Kingdom, occaſioned ſome of his more unruly Subjects to diſturb the Government; and the bad Counſel which he received concerning the Marriage of his Son, incenſed a potent Man, the Earl of *March*, ſo highly, that he degenerated into Rebellion. Yet all other Matters were ſo prudently managed, that in the midſt of War, *Scotland* enjoyed ſuch a Peace as beſt ſuited with her Genius, and her old inveterate Enemy was often conſtrained to ſue for a Truce; which yet he could not obtain, nay not when *France* joined with him in his Suit, but with great Difficulty, and during ſhort Periods of Time. And this ſhews what a martial undaunted People the *Scots* then were. They and their Anceſtors had been engaged in a War during the ſpace of Seventy Three Years; I could go much farther back, but am willing to reckon from the Year 1332, when it was renewed by the Invaſion of the Lord *Edward Baliol*, and yet they would neither accept of a long Ceſſation of Arms, nor of a final Peace. They feared that the firſt would enervate their Spirits, by bringing Arms into deſuetude among them; and the Experience of former Ages taught them how little Reaſon they had to depend upon the ſecond. But alas!

——non ſi bene nunc, & olim
Sic erit——

King *Robert* III. had for his Impreſs or *Deviſe*, a Sword and Sceptre paſſing through a Coronet, and placed in *Saltire* over a *Mond* or Glob, with an Avelane Croſs thereon. The Word, *His ornari, aut mori.* His Deviſe.

THE
Life and Reign of King *JAMES* I.
The Hundredth and Second King of Scotland.

A.D. 1405. ALL Authors, who have hitherto pretended to write the Life of this excellent Monarch King *James* I. give us but a curſory Account both of what he did, and of what was done by others in his Favour, or to his Detriment, while he was detained at the Court of *England*: And they ſeem to date his Reign from the Year 1424, in which being reſtored to his People, he attained to the Exerciſe of the Royal Power; and not from this Year 1405, in which his Father died, and he by Conſequence became really King. I ſhall endeavour to ſupply the Deficiency which I firſt mentioned, as the Series of Affairs and Circumſtances muſt needs direct me to do of Courſe: But before I proceed, cannot forbear taking notice, that as King *James* was by Right King as ſoon as his Father died, ſo he took the Title upon him, and was owned as ſuch, both by his own Subjects, and all the States in Chriſtendom. That he took the Title of King upon himſelf at the preciſe time I have mentioned, appears from all the Charters he ever granted (*a*), in which it is obſervable, that he dates the Beginning of his Reign from the Year 1405. That he was acknowledged to be King by foreign States before his Redemption from Captivity, is no leſs evident; for even the Kings of *England*, *Henry* IV. and *Henry* V. tho they had him in their Cuſtody, called him King of *Scotland*, and treated him as ſuch: Witneſs a great many Records dated at different Places, in the Years (*b*) 1408, (*c*) 1413, (*d*) 1415, *&c.* Which is the more obſervable, becauſe their Predeceſſors being always at Enmity with the Crowns of *Scotland* and *France*, to both which they laid Claim, for Reaſons I have elſewhere related at large, did ſeldom or never give the Title of King to either of the Kings of *France* or *Scotland*: Whence it came, that theſe laſt thinking fit to treat the Kings of *England* in the ſame Manner, gave them no higher Appellation than that of their *Adverſary* or *Couſin* of *England*, according as the various Circumſtances of War or Peace required. The Stile of the *Engliſh* Court, with reſpect to the Kings of *France*, was continued after this time as before; but henceforth, as the Kings of *England* got their juſt Appellations from the Kings of *Scotland*, ſo did theſe laſt from the former; and the Reaſon, I take it, was this: Tho the Kings

James I. owned to be King of *Scotland* during his Confinement in *England*.

(*a*) See Haddington's Collections in the Advocate's Library Edinburgh. (*b*) Fœd. Angl. Tom. VIII. p. 579. (*c*) Ib. Tom. IX. p. 2. (*d*) Ib. p. 203.

Kings of *England* often pretended to a Superiority over *Scotland*, yet they had never thought fit to aſſume the Arms or Title of King of *Scotland*, even when they thought themſelves Maſters of the whole Kingdom; nor could they find a Pretence for ſuch a Step but in the Reſignation of the two *Baliols*, which now, it ſeems, they had forgot, or were aſhamed to inſiſt upon. Since then the King of *England* owned his young Captive to be King of *Scotland*, we need not doubt but all other Princes did the ſame; the rather becauſe we are told by *Andrew Winton* (*a*) a contemporary Writer, that upon his Father's Death, a Convention of the Three Eſtates was held at *Scoon*, in which the Right and Title of their captivated Sovereign were recognized. By what an unlucky Chance he had been captivated, and how unjuſtly he was detained by *Henry* IV. of *England* I have elſewhere related; but it may not be amiſs to hint in this Place at the politick, tho unjuſtifiable, Reaſons of his Reſtraint.

Why he was detained in *England*.

Henry IV. was a great Prince, but an Uſurper, and therefore moſt of his Reign was, (as Mr. *Echard* (*b*), tho he ſeems not to diſlike the Uſurpation is obliged to own,) *like a craigy Mountain from which there is no Deſcent, but by a Thouſand crooked Ways full of rocky Stones and jetting Cliffs; the firſt Difficulties eſcaped, others were met withal of more Danger and Anxiety, and like Waves ever recurring, Plots ſucceeded to Plots, and the finiſhing of one War gave Riſe to another.* It is true, that he had the good Fortune to get always the better of his Enemies, but theſe when they were worſted got a ſafe Retreat in, if not powerful Aſſiſtance towards further Attempts againſt him, from *Scotland*. There King *Richard* the lawful Sovereign of *England*, or what was yet more grating to *Henry*, there an Impoſtor, who called himſelf King *Richard*, was kindly entertained; and thither the old Earl of *Northumberland*, with his Grandchild the Son of the famous *Hotſpur*, and conſequently the only remaining Hope of his ruined Family, retired (*c*), ſay *Scots* Authors, after the Loſs of the Battle of *Shrewsbury*; ſo that the Earl might have been in that Country, for ought King *Henry* knew, when Prince *James* was brought to Court by the Truce-breakers who had taken him at Sea. Nothing could have fallen out more agreeable to the *Engliſh* Monarch than that Accident, which afforded him an Opportunity of forcing his Enemies from *Scotland*, or detaining the Heir of that Crown a Priſoner in *England*. It is true, this was not fair Dealing; for *Scotland*, a free State, had an undoubted Right to protect within its own Bounds the Subjects, tho rebellious, of any other Sovereign whatever, but thoſe of the King of *France* their Ally; and the King of *England* could plead neither Law nor Equity for his ſeizing any peaceable *Scotſman*, while the Truce laſted. But no leſs than a Crown was at Stake, to gain which King *Henry* had revolted againſt, ſeized, impriſoned, de-

(*a*) MS. in the Advocates Library. (*b*) Echard p. 428, 429. (*c*) Boet. f. 339.

dethroned, and, it was thought, murdered his Sovereign; What would he not do to ſecure it upon his Head? He had probably ſucceeded in his Deſign, if King *Robert* the Father (and a very affectionate Father he was) had not died ſo very ſuddenly. For it is not to be ſuppoſed, that that Prince could have found in his Heart to refuſe any thing in his Power, ſo he could thereby have purchaſed the Liberty of his only Son. But his Brother the Duke of *Albany*, who by the ſame Convention that recognized the Right of the Heir, was appointed Governour of the Kingdom in his Abſence, had other Views: He had Children of his own, and it is no Breach of Charity to think that he might be the leſs ſollicitous about either the Freedom or Preſervation of one, who alone ſtood in his own and their Way to the Throne. I have nevertheleſs Reaſon to believe, that ſoon after his Acceſſion to that eminent Poſt, of which all own that he was in all Reſpects moſt worthy, he made a real or feigned Attempt for the Relief of the King his Nephew: For I find, that in the Beginning of *September* King *Henry* appointed (*a*) all his military Tenents to take Arms, in order to oppoſe the Duke of *Albany*, the *pretended Governour of* Scotland, as he called him, *and the common Adverſary and Enemy of his Subjects and himſelf*, who, he heard, was about to invade *England*, notwithſtanding the preſent Truce. Now, why the Duke of *Albany*, being as yet unſettled in his Government, ſhould have offered to violate the Truce, I do not ſee, unleſs it were for the Reaſon which I have ſuggeſted. King *Henry* not only endeavoured to prevent the Miſchief which he expected from him, but alſo to do him all the ill Offices he could think of. With this View he granted a Plenipotentiary Power to the Biſhop of *Down* in *Ireland* (*b*), to treat with *Donald* Lord of the *Iſles*, and *John* his Brother, about a final Peace, Alliance and Friendſhip between him and his Subjects of *England* and *Ireland*, and the ſaids *Donald* and *John*, and *their Subjects in all and every one of their Iſles*. On the other Hand, the new Governour of *Scotland* failed not to diſturb the Government of King *Henry*, if not by open Hoſtilities, at leaſt by fomenting and entertaining thoſe Seeds of Diſſention, which his own Intruſion upon the better Rights of others had created among his diſtracted Subjects.

His Confinement reſented by the Duke of *Albany*.

Donald Lord of the *Iſles* in Alliance with *England*.

The old Earl of *Northumberland* had been in Appearance reconciled to the Conqueror, but being unable to out-live the Death of his Son, and Ruin of his Houſe, he revolted a ſecond time, in Conjunction with (*c*) *Thomas Moubray* Earl Marſhal of *England*, *Richard Scroop* Arch-biſhop of *York*, the Lord *Bardolf*, the Citizens of *York*, and great Numbers of the common People in the Northern Counties. The Earl of *Weſtmorland* pretending to approve of their Quarrel, found Means to ſeize upon the Perſons of the Arch-biſhop and

(*a*) Fœd. Angl. Tom. VIII. p. 414, 415. (*b*) Ib. p. 418. (*c*) Walſingh. p. 373, 374. Echard p. 429. Pere d' Orleans p. 160, 161.

and Earl, both whom he had deceitfully invited to a Parley, and afterwards delivered up to his Maſter at *York*, where they were beheaded. King *Henry* afterwards endeavoured to excuſe this bold Action, which ſome People thought and called ſacrilegious, by ſending the Arms and warlike Accoutrements the Prelate had put on, to the Pope, with a Letter which began with theſe Words of the Brethren of *Joſeph* to *Jacob*: *This have we found, know now whether it be thy Son's Coat or no.* But his Holineſs not at all ſatisfied with the Reaſon given for the Execution of a Perſon of that Character, excommunicated all ſuch as were concerned in it, and made an Anſwer to King *Henry* in theſe Terms, the laſt of which are thoſe of the ſame *Jacob* to his Children; *I know not whether that be my Son's Coat or no, but I am ſure that an evil Beaſt hath devoured him.* But of this by the by. The King not ſatisfied with the Blood of theſe two great Men, vigorouſly purſued the reſt of the Confederates, particularly the Earl of *Northumberland* and the Lord *Bardolf*, and they finding themſelves unable to reſiſt ſo mighty a Power as he brought into the Fields againſt them, fled firſt to *Berwick*, where they engaged the Garriſon to hold out againſt the Enemy, if he ſhould offer to attack them; and then to *Scotland*, where, no doubt by the Governour's Orders, they were civilly entertained. But the Governour, tho it ſeems he threatned it, did not think fit to renew the War either upon their Account or that of his injured King. It is probable that he was promiſed Satisfaction with reſpect to the laſt, for a Treaty was ſet on foot (*a*) towards the End of *September*, a ſhort time after the Alarms of an approaching War had been hotteſt, and the Truce being prolonged, the next Year 1406, *Rotheſay* King at Arms and *Commiſſar-General* for the King and Kingdom of *Scotland*, was, I ſuppoſe in Purſuance thereof, ſent to the Court of *England*.

Truce between *Scotland* and *England*.

A.D. 1406.

His Errand, if I am not miſtaken, was to ſollicite the Freedom of the King, or at leaſt to enquire under what Pretence of Juſtice or Law, he came to be taken in the time of a Truce (*b*): He produced the Articles of it, ſhewing that *Scots* Ships and Merchants had full Freedom to ſail whither they pleaſed; which King *Henry* not daring to deny, ordered that Juſtice might be done after due Examination of the matter of Fact, to ſuch *Scots* Merchants as were ſaid to have been taken at Sea by *John Jolyſe* and his Aſſociates. Now I conjecture this *John Jolyſe* and his Crew to have been thoſe that ſeized upon Prince *James*'s Ship; but what came of the Trial I cannot gueſs. Perhaps they pretended that what they had done was by way of Repriſal; that the *Scots* had been as little ſcrupulous with reſpect to the Obſervation of Treaties as the *Engliſh*, and that ſince the Prince's Ship had fallen into their Hands, they might detain it as lawful Prize, and by conſequence thoſe found on board, as lawful Priſoners. Thus the further Enquiry

(*a*) Fœd. Angl. Tom. VIII. p. 418. (*b*) Ib. p. 450.

into that Affair was probably dropt, or put off till another time; and it is hard to tell, whether the Governour of *Scotland*, content to be baulked in his Purſuit, did not think that he had done enough in thus endeavouring at leaſt to ſave Appearances. But if he was not ſo earneſt as he ought to have been about the King's Freedom, we muſt needs own, that in every thing elſe he ſtudied the welfare, and maintained the Dignity of the Kingdom. For had he been capable of a Diſhonourable Action, would he have undertaken to withdraw his Protection from the *Engliſh* Refugees, or would he have delivered up that vexatious Perſon whom he entertained and treated as King of *England*, what Treaſure might he not have laid up for his Poſterity? *Engliſh* Authors ſay, that all the *Scots* were not at that time ſo incorruptible as the Governour appears to have been. "For, ſay they (*a*), a great deal of Money was "employed in ſecret Practices with a perfidious Sett of People a- "mong them, who undertook to deliver the Earl of *Northumber-* "*land* and the Lord *Bardolf* into the Hands of King *Henry*, in "Exchange for ſome Priſoners of their own Nation; and they had "certainly done it, had not Sir *David Fleming* of *Cumbernauld*, a "Gentleman of great Honour, adviſed his noble Gueſts of the in- "tended Treachery, and helped them to make their Eſcape into "*Wales*. They add, that Sir *David* was ſlain for his Juſtice and "Hoſpitality, by thoſe whom he had thus diſappointed of their "Hopes, and that his Slaughter filled all *Scotland* with civil Diſ- "cords; to avoid the Dangers of which Prince *James* was ſent "out of the Country." This Story is very confuſed, unchronological, and, I believe, falſe in moſt of its Parts. Neither do *Scots* Authors relate it in a more probable manner than the *Engliſh*. They (*b*) ſay indeed, "That Sir *David* was ſet upon and killed "(upon what Account they tell not) by . . . . *Douglas* of "*Balveny* at *Langherdmanſton*, as he was returning to his Country- "Seat, after having conducted Prince *James* to the *Baſs*, and "ſeen him go on board the Ship, in which he was afterwards ta- "ken by the *Engliſh*." But this is certainly a Miſtake, for it appears from the Records of the noble Family of *Wigton*, that Sir *David* was alive in 1406, and the Prince was ſhipped off before his Father's Death, which hapned in the preceeding Year 1405, as I have fully demonſtrated. I muſt add, that it is moſt unlikely that the Quarrel between theſe two Gentlemen had its Riſe from what the *Engliſh* relate, *viz.* the Lord *Fleming*'s Advice to the Earl of *Northumberland*: For if that Nobleman had been in Danger, his Grandchild, the only Son of the famous *Hotſpur*, would not have been ſafe; and yet we are very ſure, that the latter remained in *Scotland* ſeveral Years after this Period of Time, and that he was well and honourably educated, notwithſtanding the Fall of his Grandfather, and the utter Ruin of his Family. From thence,

The Duke of *Albany*'s Generoſity.

Sir *David Fleming* of *Cumbernauld* killed.

Engliſh Authors confuted.

(*a*) Walſingh. p. 375. Echard p 429. (*b*) Extract. e Chron. Scot.

thence, I think, I have Reaſon to conclude, that no Party of Men among the Scots were bribed into the Villany laid at their Door, elſe they had been by the ſame means prevailed with to give up both the young *Percy* and pretended King. I take notice of this the rather, becauſe the Thirſt of Gold has been of a long time thought the Epidemick Diſeaſe of the *Scots* Nation; and I ſhall afterwards endeavour to ſhew when and by what Means that Plague firſt crept in among us: But I am perſwaded that it had hitherto got no Footing on this ſide of the *Tweed*: If it had, I dare ſay we had been undone long before even our Grandfathers were born.

Towards the End of this Year (*a*) *Gilbert* Chancellor of *Scotland* and Biſhop of *Aberdeen*, *Robert* Biſhop of *Dunkeld*, *David Lindſay* Earl of *Crawfurd*, *Alexander Stewart* Earl of *Marr*, and *William Graham* of *Kincardin*, were ſent to the Borders in order to prolong the Truce; which they did accordingly, and it was very well kept all the next Year 1407, which produced nothing memorable with reſpect to *Scotland* or *Scotſmen*. Only I find, that the prudent and brave, but rebellious *George Dunbar* Earl of *March*, who had done ſo much Miſchief to *Scotland*, got free about the ſame time of an eminent Danger that threatned him in *England* (*b*). He had quarrelled, I know not for what, with the Dean and Chapter of *Lincoln*, and was impeached for murdering one *John Bleſwell* of *Nannenby*; yet ſo much did the King of *England* value his great Services, that he granted to him, his Son, and about 37 of his Servants, an ample Remiſſion for all the Crimes, Tranſgreſſions, Murders, Treaſons, *&c.* with which they were charged. I likewiſe obſerve, that in *June* this Year, the young King *James* was conveyed (*c*) from the Tower of *London*, where till now he had been ungenerouſly detained as a Priſoner, to the Caſtle of *Nottingham*, where he was entertained and educated with all imaginable Reſpect and Civility, in ſo much, that as a King he was preferred, and in all other Reſpects equalled to King *Henry*'s own Children. This appears from what hapned the next Year 1408, when (*d*) two Gentlemen, as was then uſual, having fought long and valiantly in Preſence of the Court, were by King *Henry*, at the Entreaty of *his moſt dear Couſin the King of* Scotland, and that of his own Sons, commanded to deſiſt. Neither did he ſeem unwilling to oblige the reſt of the *Scots* Priſoners who had remained in *England* ſince the Battles of *Homeldon*-Hill and *Shrewſbury*; for he gave Liberty to the Earl of *Douglas* (*e*) to go to *Scotland*, upon Condition that he ſhould either return, or pay his Ranſom by a certain time; and he treated with the Earl of *Fife* upon the ſame Terms: But the Hoſtages of the laſt went not to *England* as was expected, and therefore that Treaty had no Effect (*f*). The Hoſtages named for the Purpoſe were *David* Son and Heir of the Earl of

A.D. 1407.

Dunbar Earl of *March* obtains a Remiſſion from the K. of *England*.

James I. conveyed to *Nottingham*.

A.D. 1408.

And nobly educated.

(*a*) Fœd. Angl. Tom. VIII. p. 461. (*b*) Ib. p. 481. (*c*) Ib. p. 484. (*d*) Ib. p. 539. (*e*) Ib. p. 539 (*f*) p. 544.

Caithneſs, *John Stewart* Son of the Governour and Earl of *Buchan*, *Patrick Graham* Earl of *Strathern*, and *Alexander Graham* Son and Heir of the Lord of *Graham*. While King *Henry* was endeavouring to draw Money from *Scotland* by theſe Tranſactions, he forgot not to diſturb its Government, by encouraging the Diſaffection of *Donald* Lord of the *Iſles* and his Brother *John* (*a*), with whom he entred into, and probably concluded a ſeparate Treaty, which had ſoon after great and fatal Conſequences to almoſt the whole Nation: Yet he was ſollicitous to avoid an open Breach, and therefore brought Matters ſo about, that (*b*) the Truce was prolonged from *Eaſter* 1408 till *Eaſter* 1409.

Donald of the *Iſles* in League with *England*.

A.D. 1409.

This laſt Truce no ſooner expired (*c*), but they of *Teviotdale* being fond of the longed for Opportunity, run to Arms, and took the Caſtle of *Jedburgh*, which having been in the Hands of the *Engliſh* ſince the Battle of *Durham* or *Nevill*-Croſs, was an Eyeſore to, and an Incumbrance upon the adjacent Country. The Governour for that Reaſon ordered it to be demoliſhed, which was done accordingly. That Loſs was followed by a more conſiderable one, but of a different kind. It was this. The famous Earl of *March*, notwithſtanding he had renounced his Fealty to his natural Sovereign the King of *Scotland*, and in the moſt ſolemn manner imaginable declared himſelf an *Engliſhman*, at leaſt a Denizon of *England*, and as ſuch had often invaded his native Country, gained two Battles againſt the Enemies of King *Henry*, preſerved the Life and Crown of that Prince, had been rewarded, according to his ineſtimable Merits, with Penſions, Places, Lordſhips and Earldoms; the Earl of *March*, I ſay, had, notwithſtanding all theſe Endearments, received ſome Diſguſt at Court. What it was is uncertain: *Buchanan* (*d*) ſays, That for all his Services he could not obtain ſufficient Aſſiſtance to recover his Eſtate in *Scotland*; which is true: But that Author adds, that he had not an honourable Subſiſtence in *England*, which is abſolutely falſe, as I have from unqueſtionable Records demonſtrated. It is more probable, that he could not digeſt the Criminal Proceſs which of late had been intented againſt him, and I would think ſo, had not King *Henry* protected him by an ample Remiſſion. I therefore conclude, that he was acted by nothing but a Senſe of his rebellious Conduct, and an hearty Deſire of being reconciled to his King and Country: The Preſence of the King, whoſe budding Worth he could not but ſee and admire, and the Converſation of the Earl of *Douglas* his Rival in Glory and Grandeur, may be reaſonably ſuppoſed to have wrought a conſcientious Alteration of his Mind. But whatever it was that prevailed upon him, it is certain that he ſued for Pardon, and having obtained it, returned to *Scotland*, where the Governour received him favourably, and put him in poſſeſſion of all his Inheritance, but two Caſtles, that of *Lochmabane* and that of *Annandale*,

Jedburgh taken by the *Scots*.

Dunbar Earl of *March* returns to his Allegiance.

Buchanan confuted.

(*a*) Fœd. Angl. Tom. VIII. p. 527. (*b*) Ib. p. 514. (*c*) Ex [illegible] e Chron. Scot. (*d*) p. 333.

dale, which were given to the Earl of *Douglas*, as an Equivalent for the Losses he had sustained. Thus all Offences were in appearance taken away, and the Earl of *March* past the Remainder of his Life in great Concord with his Neighbours, and faithful Subjection to the Governour who forgave him; but we shall afterwards see that his Posterity were not forgiven by the King. In the mean time I must take notice, that he did not run from, nor leave *England* dishonourably; for I find, that he went back to that Country two Years after this (*a*) with the Character of an Ambassador or Plenipotentiary, which he could not have done, had he not fairly renounced his Allegiance to King *Henry*, and been by that Prince permitted to return it to his rightful Sovereign.

When the Earl of *March* came to his native Country he found it engaged in a War, but an unactive one, neither the King of *England* nor the Governour of *Scotland* being inclined to carry it on with Vigour: On the contrary, there appeared a great Tendency to Peace, and a Truce was actually concluded in *Anno* 1410 by Sir *William Hay* of *Lochwarret*, Sir *William Borthwick* and Mr. *Alexander Cairns*, Plenipotentiaries for *Scotland*; and the Governour proceeded so far as to ratify it by a Letter, which he sent in *May* to the King of *England*. By that Letter it appears that his Authority was very great, or rather that he presumed too much upon it; for he begins thus (*b*): "To the most excellent Prince *Henry* by the "Grace of God King of the *English*, our most dear Cousin, *Robert* by "*the same Grace*, Son to the King of *Scotland*, Duke of *Albany*, Earl "of *Fife* and *Menteith*, and Governour of the Kingdom of *Scotland*." Why he calls himself *by the Grace of God* Son to the King of *Scotland*, I do not see; neither do I understand upon what Account he makes use in another Place of this Expression, *our Subjects of the Kingdom of* Scotland; as if he himself had been a Sovereign, and not a Subject, as all other *Scotsmen*, to the King his Nephew. However, King *Henry* had, it seems, no great Regard to his Letter; which so irritated the Governour, that in the following Month of *July* (*c*) he drew a considerable Army together, and threatned to invade *England*, in so much, that all the military Tenents in that Kingdom were ordered to take Arms in their own Defence, but could not prevent (*d*) the Loss of *Fastcastle*, a strong Fortress, (as the Name intimates) in the *Merse*, which was taken by *Patrick Dunbar* a Son of the Earl of *March*, and in it the Commander of an *English* Garrison, one *Thomas Holden*, who by his continual Excursions, had for a long time infested the neighbouring Country of *Lothian*.

A.D. 1410.

Remarkable Letter of the Duke of *Albany* to the King of *England*.

Fastcastle taken by the *Scots*.

What hindred the King of *England* from ratifying the Truce on the one side, as the Governour of *Scotland* had done on the other, I believe was this: That Monarch had an Eye to what was hatch-

A.D. 1411.

(*a*) Fœd. Angl. Tom. VIII. p. 682. (*b*) Ib. p. 635. (*c*) Ib. p. 639. (*d*) Extract. e Chr. Scot. Buchan. p. 334.

ing in the Weſtern Iſles called *Ebudæ*, whoſe Lords himſelf and his Predeceſſors had endeavoured to maintain in a State of Independency for about 80 Years bypaſt, as appears from the frequent Treaties of Alliance ſet on foot and agreed between them; and now the preſent Lord *Donald* had a more reaſonable Plea for what he did, than perhaps any of his more immediate Anceſtors. For *Walter Leſly*, a Man very nobly born (*a*), had ſucceeded to the Eſtate and Honours of the ancient Earls of *Roſs*, in Right of his Lady, who was a Daughter of that Houſe. He had by her a Son called *Alexander* who ſucceeded to him, and a Daughter *Margaret*, who was married to the Lord of the *Iſles*. Lord *Alexander* married a Daughter of the Governour's, and dying young left behind him but one Child, by Name *Euphame*, a deformed Girl, as ſome write, who rendred herſelf a Religious in *Northberwick*. From her, the Governour being her Grandfather, eaſily procured a Reſignation of the Earldom of *Roſs* in favour of *John* Earl of *Buchan* his ſecond Son, to the viſible Prejudice of *Donald* the Iſlander, who being the Son of *Margaret* Siſter to the laſt Earl of *Roſs*, was unqueſtionably the neareſt Heir. He claimed his Right accordingly, but Juſtice was denied him by the Governour of *Scotland*, who beſides his own private Concern in the Matter, might have had a very good Reaſon of State, to hinder the aggrandizing of a Family ſo long in Alliance with the Enemies of the Crown. Upon this, the incenſed *Donald* and his Brother *John* had Recourſe to King *Henry*, with whom, as I have already related, they entred into two different Treaties; and that Prince, to favour the violent Meaſures upon which they were reſolved, firſt ſuffered the Truce between the two Kingdoms to expire, and afterwards, when it was renewed by Plenipotentiaries on both ſides, refuſed to accept of it. From thence proceeded the Hoſtilities I have given an Account of, and the more terrible (becauſe more domeſtick) Commotions I am now to relate.

Donald of *Iſles* revolts.

Donald of the *Iſles* being abundantly ſatisfied of the Juſtice of his Cauſe, and ſtrengthned by his Alliance with King *Henry*, whoſe Forces made no ſmall Diverſion in the ſouth Parts of *Scotland*, thought it now high Time to break in upon the North. With this View he raiſed an Army of no leſs than 10000 Men within his own Iſles, and ſetting himſelf at their Head made a Deſcent on the Continent, and without Oppoſition ſeized on the Lands in debate, they of *Roſs* being willing to return to the Subjection of their rightful Maſter. This Succeſs did not ſatisfy the Mind of *Donald*, who judging that he could not long keep what was his own, without a Barrier ſufficient to skreen him from the ſuperior Power by which he conceived himſelf ſo heinouſly injured; and perhaps being by his League with *England* obliged to do all the Miſchief he could to the Kingdom of *Scotland*, he continued his March from *Roſs* to *Mur-*

(*a*) Boet. f. 341. Buchan. p. 334.

Murray, and from thence to *Strathbogy* and *Garioch*, ravaging theſe Counties as he paſſed through them, and threatning to enrich his Men with the Wealth of *Aberdeen*, a trading Town and a Biſhop's See. But before he could reach that Place, he found himſelf ſtopt in his Carreer by *Alexander Stewart*, a Grandchild of King *Robert* II. by conſequence the Governour's Nephew, and Earl of *Marr*, in Right *(a)* of his Lady *Iſabel Douglas*, only Daughter of *William* firſt Earl of *Douglas*, and of *Margaret*, the Siſter and Heir of *Thomas Marr*, the laſt Earl of *Marr* of that Sirname. That brave and experienced General, by Orders from the Governour, drew together with great Expedition, almoſt all the Nobility and Gentry between the two Rivers of *Tay* and *Spey*, conſiſting chiefly, as they ſtill do, of the *Lyons*, *Ogilvies*, *Maules*, *Carnegies*, *Lindſays*, *Erskines*, *Fotheringhams*, *Leſlies*, *Frazers*, *Irvines*, *Gordons*, *Forbeſſes*, *Abercrombies*, *Bannermans*, *Arbuthnots*, *Burnets*, *Leiths*, *Duguds*, *Mowats*, *Barclays*, *&c.* Being ſeconded by theſe, he met the Invader at *Harlaw*, a Village in the *Garioch*, within 10 Miles of *Aberdeen*, where a long, uncertain and bloody Battle enſued; ſo long, that nothing but Night could put an End to it; ſo uncertain, that it was hard to tell who had loſt or win the Day; and ſo bloody, that, to ſay nothing of the Loſs ſuſtained by the Iſlanders, almoſt the whole Gentry of *Angus*, *Merns*, *Marr*, *Buchan* and *Garioch* were cut off; inſomuch, that one Family of the Sirname of *Leſly*, I mean that of *Balwhain*, is by Tradition reported to have loſt . . . . . *Leſly* the Father, and 6 of his 7 Sons. Vaſt Numbers of others had the ſame Fate; among the reſt *(b)* *Alexander Ogilvy* Sheriff of *Angus*, together with his Son and Heir, *James Scrimgeour* Conſtable of *Dundee*, *Alexander Irvine* of *Drum*, *Thomas Maule* of *Panmure*, *William Abernethy* youger of *Salton*, *Alexander Straiton* of *Lawrieſton*, *Alexander Stirling*, *Thomas Murray*, and *Robert Davidſon* Provoſt of *Aberdeen*, all Knights, and ſome of them Chiefs of honourable and loyal Families ſtill extant in thoſe Parts. They of the Earl of *Marr*'s Party who ſurvived, lay all Night on the Field of Battle; while *Donald*, being rather wearied with Action, than conquered by Force of Arms, thought fit to retreat, firſt to *Roſs*, and then to the Iſles; which he effected without any conſiderable Moleſtation, by reaſon that the ſhattered Forces in the North were not in a Condition to purſue him, and thoſe expected from the South and Weſt were not yet come up. The petty War which was carried on at the ſame time againſt *England* no doubt retarded the Motion of theſe laſt, and hindred the Governour from acting with that Vigour that was neceſſary, either againſt the domeſtick Rebels, (for ſo he and the Bulk of the Nation called the Lord of the *Iſles* and his Adherents,) or the foreign Enemies of the Kingdom: Yet he, or, which is the ſame thing, his Lieutenants, gained conſiderable Advantages over both; for it was in this Year, according to the moſt exact, if not

Battle of *Harlaw*.

(a) Crawf. Hiſt. of the Stewarts p. 17. *(b)* Extract. e Chr. Scot. Boet. loc. cit.

the only *Scots* Chronolygist (*a*) I know, that the Bridge of *Roxburgh* was broken down, as it had sometimes been before, and the Town plundred and set on fire by *William Douglas* [illegible] *Lanrig*, a brave Gentleman, of whom much more afterwards, and [illegible] *Dunbar* Son to the Earl of *March*, the very same who for his Gallantry had been formerly so much caressed at the Court of *England*.

Roxburgh plundred by the *Scots*.

The Troubles of *Scotland* made, it seems, a great Noise in *France*, where the Hostilities committed both by the *English* and Islanders, were talkt of as the most outrageous and barbarous imaginable. King *Charles* heard of them with Regret, and therefore in the Month of *October*, caused a Bull of Pope *Urban* V. emitted in the 5th Year of his Pontificate, that is, in 1368, the Original of which had been preserved till then, in the Chapel called *Sacred* of *Paris*, to be transcribed, published and sent over to *Scotland*, where it is yet to be seen in the publick Register. It is very honourable to the *Scots* Nation in general, and was no doubt extremely useful towards suppressing Factions, Insurrections and Rebellions, while the Nation had any Regard to the Authority of Popes. For these Reasons, I shall in few Words give an Account of what it contains. " His Holiness, in the first place, with " great Grief narrates the infinite Calamities, such as the Ruin of " Churches, Monasteries and Towns, the Desolation of Countries, " the ravishing of Women and killing of Men, occasioned in ma- " ny Parts of the World, but chiefly in *Scotland*, by the Avarice " and Pride of certain Men, who joining together in Bonds and " Associations, inhumanly broke through all Laws Divine and " Humane. It was not so of old, (*if we may believe him*,) for, " *continues he*, when we consider how many and how great Ad- " vantages the Catholick Faith and the whole Christian World " have in all bypast Ages reaped by means of the *Scots*, and that " *the most Christian Kings of* Scotland, have ever been the noblest " Champions (*præcipui pugiles*) of the Catholick Faith and *Ro-* " *man* Church, which, *as all the Evidences of Truth and Antiquity* " *demonstrate*, they have defended, protected and propagated " through the Universe; we think it our Duty to do all that lies " in our Power, for preserving the Peace and Tranquillity of that " Kingdom---He *therefore*, with Advice and Consent of his Brethren, " and by vertue of his Apostolick Power, prohibites, under pain " of Excommunication and Interdiction, all Persons Ecclesiastick " and Secular, of whatsoever Dignity or Rank they may be, to " form Societies or Leagues against the Government of *Scotland*, to " enter that Kingdom in an hostile manner, to display their Ban- " ners in it, to break down Houses, drive away Cattle, make In- " cursions and Depredations, *&c.* or to protect, favour, counsel " or assist, directly or indirectly, publickly or privately, any " such

(*a*) Extract. e Chron. Scot.

" ſuch Men, or Societies of Men, who ſhall preſume to infringe " his Excommunication. He *goes on, and not only* declares the Offen- " ders to be excommunicated, but incapable of being abſolved by " any but himſelf and his Succeſſors, unleſs it be upon Death-bed, " and when they ſhall be thought paſt Recovery. He alſo de- " clares them to be infamous, and as ſuch, incapable of all Privi- " leges, Honours, Places of Truſt or Profit, and all Offices Civil, " Military or Eccleſiaſtick; makes void their Teſtaments, de- " grades them from their Order of Knighthood, or any Pretenſi- " ons to Nobility, abſolves their Subjects, if they have any, from " all the Obligations formerly due to them; and, in a Word, " omits nothing fit to terrify all the Enemies of the King and King- " dom of *Scotland*, whether foreign or domeſtick, Subjects, or " even Sovereigns, into a peaceable Diſpoſition with reſpect to " them. " It is true, that the King of *England* is not expreſly mentioned, but that *Edward* III. (who formed Leagues, entertained *Scots* Refugees, and firſt encouraged, afterwards openly aſſiſted the Lord *Edward Baliol*, contrary to a ſolemn Treaty, whereof Pope *John* XXII. was Guarantee,) is the Perſon chiefly pointed at, cannot be doubted, ſince this Bull was obtained in the Reign of *David* II. And that it was now republiſhed, as much to frighten King *Henry* IV. from his Alliance with *Donald* of the *Iſles*, as to contain all *Scotſmen* in their Duty to their Kings and Country, is no leſs certain. And this ſhews the great, nay almoſt unparallelled Eſteem and Regard, which the Popes, and by conſequence all Chriſtian Princes had for the Kingdom of *Scotland*, as inconſiderable a Figure as it has ſince made. Indeed, I have hitherto met with none of the Pontiffs, who have been really injurious to, or partial againſt us, but one; I mean *John* XXII. and he too made Amends at laſt, as I have related in the Life of King *Robert Bruce*. But as that Prince diſregarded the Thunder of Pope *John*, becauſe he knew him to be in the wrong, ſo neither King *Edward* III. nor this King *Henry*, took much notice of the Bull of Pope *Urban*; and had their Cauſe been as good as that of King *Robert*, they had certainly been in the Right, even according to thoſe who believe the Infallibility of the Church and the Supremacy of the Biſhop of *Rome*. However, the Succeſſes which I have related, and a ſort of a Ceſſation of Arms that followed upon them, being occaſioned by ſeveral Treaties ſet on foot in the End of this, and the Begin- A.D. 1412. ning of the next Year, between the two Kingdoms, enabled the Governour of *Scotland* to curb the aſpiring Genius of the Lord of the *Iſles*. He cauſed a competent Number of Ships to be fitted out, with Deſign to go over in Perſon (*a*), and to ſeek him out, or drive him from thoſe remote Faſtneſſes which the ambient Ocean rendred in ſome Meaſure inacceſſible; when *Donald*, being alarmed with the Noiſe of the approaching Storm, and finding himſelf

(*a*) Boet. f. 342.

but faintly protected by his *Engliſh* Alliance, came to Terms of Accommodation. What they were I cannot well tell, [illegible] ſays, that he begged Pardon, promiſed to compenſate the Damages which he had done, and ſwore that henceforth he ſhould never attempt any thing againſt the Government. All this may be true, but all this does not ſatisfy the Mind of the curious Reader, who muſt needs encline to know, whether he renounced his *Engliſh* Alliance, ſubjecting himſelf and his Iſles to the Crown of *Scotland*, and whether, as a Reward for theſe Condeſcenſions, he did not obtain the Earldom of *Roſs*. That he renounced his *Engliſh* Alliance, and owned himſelf, even as Lord of the *Iſles*, to be a Subject of *Scotland*, is not, in my Opinion, to be doubted: For, beſides that he could not hope for Peace or Safety upon other Terms, I find, that in the Years (*a*) 1414, (*b*) 1415, and (*c*) 1416, both he and the *Scots* Earl of *March* were expreſly comprehended in the Treaties at thoſe Times agreed to by the Kings of *France* and *England*, as being Allies or Friends of *France*; a Favour neither of them could have pretended to, had they been ſtated in oppoſition to *Scotland*. It is true, that in the ſame Treaties *Donald* of the *Iſles* was alſo comprehended by the King of *England*; but this ſignifies no more, but that the King of *England*, in purſuance of their former Alliance with his Predeceſſors, thought fit to paſs that Compliment upon him, intimating thereby, that if he pleaſed to revolt from the Crown of *Scotland*, he might, as before, expect Protection from *England*; for it was then uſual, and ſtill is, for Princes to comprehend in their Treaties, ſuch other Princes or great Men as they mean to oblige. Thus not only the Lord of the *Iſles*, but alſo the Lord of *Man*, the Duke of *Bavaria*, and Earls of *Holland* and *Hainault*, were on the ſame Occaſions named by both the Kings of *France* and *England* as their Allies; but that one ſtated in Rebellion againſt his lawful Sovereign, (ſuch as the Lords of the *Iſles* were till now reputed by *Scotland* and *France*,) ſhould have been in ſo ſolemn a manner conſidered as a Friend of either, was then, and is to this Day unprecedented. From thence it appears, that *Donald* of the *Iſles* had, previouſly to theſe Treaties, ſubmitted himſelf and his *Iſles* to the Crown of *Scotland*. That he or his Son obtained the Earldom of *Roſs* is alſo certain; but how ſoon after his Submiſſion to the Governour, I confeſs I do not know, his Son *Alexander* of the *Iſles* being the firſt of that Family whom I have found upon Record (*d*) dignified with the Title of Earl of *Roſs*, and as ſuch, ſitting upon the Jury of Duke *Murdoch* and his Children, in *Anno* 1425, about 13 Years after this Time.

Donald of the *Iſles* ſubmits to the Governour.

Is made Earl of *Roſs*.

The Submiſſion of *Donald* of the *Iſles* was followed or preceeded, I cannot tell which, by a Truce with *England*, which being concluded in *May* 1412 (*e*), was to laſt (but did not for Reaſons I ſhall

(*a*) Fœd. Angl. Tom. IX. p. 91, 92, 93, &c. (*b*) Ib. p. 262, 263, &c. (*c*) Ib. p. 398, 399. (*d*) Extract. e Chr. Scot. (*e*) Fœd. Angl. Tom. VIII. p. 737.

ſhall afterwards relate) till *Eaſter* 1418. This Truce ſeems to have been principally deſigned by the Governour, as a Step towards obtaining the Freedom of his Son the Earl of *Fife*. In order to bring it about, *George Dunbar* the eldeſt Son of the Earl of *March*, and *John Busby* a Clergy-man, had been ſent (*a*) to *England* towards the End of the laſt Year; and they had been ſo far ſucceſsful in their Negotiation, that ſeveral Hoſtages were this Year appointed to go to *England* in his Room, namely (*b*) his own Brother the Earl of *Buchan*, his Son *Walter Stewart* of *Lennox*, *Patrick Graham* Earl of *Strathern*, the Son and Heir of ..... *Hay* Conſtable of *Scotland*, and *Alexander Graham*. Yet that Project failed, as another of the ſame Nature had done before, and therefore in *February* next, Sir *Walter Stewart* of *Ralſton*, and *John Leith* Eſquire, were commiſſioned (*c*) to renew the Treaty; but before it could be brought any length King *Henry* IV. of *England* died, after having, by his Vigour and Management, ſurmounted infinite Difficulties, all ariſing, as Mr. *Echard* confeſſes (*d*), from the want of a juſt Title to the Crown, which drove him to wade through Seas of Blood, and to bring vaſt Miſchiefs, as all Uſurpations muſt do, upon his Subjects; Miſchiefs, for which, (adds the ſame Author,) the Vengeance of Heaven failed not to meet his Poſterity, tho not till the Third Generation. And this ſhews, what a Folly it is to aim at building an Houſe upon Iniquity; the mighty Structure is no ſooner reared up, but the inviſible Hand of over-ruling Providence pulls it down on a ſudden, and for the moſt part buries the unfortunate Intruders for whom it was deſigned, under its Ruines. So true it is, that

A.D. 1413.

Henry IV. of *England* dies.

Raro antecedentem ſceleſtum
Deſeruit pede pœna claudo.

Henry IV. was immediately ſucceeded by his eldeſt Son *Henry* V. a young Prince, who, like his Father, wanted none of thoſe Royal Qualifications that give Luſtre even to Thrones, but Right to reign. One of the firſt things he did, was to confine the Perſons of ſome *Scots* Priſoners more cloſely than, it ſeems, they had formerly been; for his Father expired upon the 20th of *March*, and the very next Day (*e*) he ordered the King of *Scotland*, the Earl of *Fife*, *William Douglas* of *Dalkeith* and *William Giffard* Eſquire, to be conducted to the Tower of *London*, I believe to prevent their offering to make their Eſcape, during the Hurry and Confuſion ordinary at all Courts on the like Occaſions. But that he meant to put no Affront either upon them or the *Scots* Nation, appears from his After-conduct; for in *April* following he ordered a great many Gentlemen of the ſame Nation to be ſet at Liber-

Is ſucceeded by his Son *Henry* V.

Who ſets many *Scots* Priſoners at Liberty.

(*a*) Fœd. Angl. Tom. VIII. p. 708. (*b*) Ib. p. 735. (*c*) Ib. p. 775. (*d*) p. 434. (*e*) Ib. Tom. IX. p. 2.

ty (*a*), namely Sir *James Douglas*, *Thomas Hamilton*, *John Bois*, *John Lyon*, *Dugal Drummond*, *Adam Cockburn*, *Alexander Aikenhead*, *William Brown*, *John Paterſon*, *John Hume*, *John Wallace*, *John Skrimgeour*, *Gilbert Dalrymple*, and about Twelve more, whoſe Names I omit becauſe they are now extinct. This was one good Effect of the Treaties then on Foot; and now the Governour of *Scotland* being either aſhamed that he had done ſo much for the Freedom of his own Son, and the reſt of the *Scots* Priſoners, and ſo little for that of the King; or hopeful that the Intimacy contracted between him and the now King of *England*, (for they had been educated alike, and the Difference of their Ages was not great,) would influence the latter to expreſs more Generoſity than his Father had ſhewed, thought fit to ſend no leſs than three Embaſſies; the firſt in *April*, the ſecond in *July*, and the third in *December*, to the Court of *England*, with Orders to ſollicite the Delivery of the King their Maſter. Thoſe employed in *April* were (*b*) *Walter* Biſhop of *Brechin*, *William* Lord of *Graham*, *Alexander Ogilvy* Sheriff of *Angus*, *Robert Lany* and *John Weems*. They who followed in *July* (*c*), were *John Sinclair*, Sir *William Cockburn*, *Adam Cockburn*, *Alexander Hog*, *John Hog*, and *James Patrickſon*. They in fine who had the ſame Honour in *December* (*d*), were Sir *William Douglas* of *Drumlanrig*, *Alexander d'Eſcheles* and *John Wallace*. Much about the ſame time the Earl of *Buchan* was ſent to treat about the Redemption of his Brother (*e*) the Earl of *Fife* and others, namely (*f*) *Patrick Dunbar* of *Bele*, *William Hay* of *Lochinwaret*, and *William Borthwick* Knights, to confirm, renew or prolong the Truce; for that concluded the laſt Year was, it ſeems, ſome way or other defective, for which Reaſon a new one was thought neceſſary, and concluded accordingly both between (*g*) *Scotland* and *England*, and (*h*) *England* and *France*, but of no longer Continuance, unleſs afterwards renewed, than till the firſt of *June* 1414. As for the Negotiations relative to the King and the Earl of *Fife*, they had no Effect at all; only I find, that (*i*) in the Month of *Auguſt* the King was coudućted from the Tower of *London* to the Caſtle of *Windſor*, and that the next Year 300 Lib. *Sterling* were paid out of the Exchequer of *England* (*k*), towards defraying the Charges of King *James*, the Earl of *Fife*, and ſome others during the ſpace of 300 Days, that is, they were entertained at the rate of 20 ſh. a Day; a mean Allowance for Perſons of that Quality, as rare as Money ſtill was in *Europe*. I alſo obſerve, that in *February* the next Year 1415 (*l*), King *Henry* appointed Sir *John Pelham* to be the Guardian or Governour of King *James*, for whoſe Entertainment in all Neceſſaries, he was allowed the yearly Revenue of 700 Pounds: For which ſmall Sum, (indeed it was very ſmall for the Entertainment of a King, tho it muſt be owned that a little Money was then of very great

The Governour endeavours the Freedom of the King his Nephew.

A.D. 1414.

King *James* entertained in *England* at what rate.

A.D. 1415.

(*a*) Fœd. Angl. Tom. IX. p. 5. (*b*) Ib. p. 5. (*c*) Ib. p. 40. (*d*) Ib. p. 79. (*e*) Ib. p. 48. (*f*) Ib. p. 45. (*g*) Ib. p. 69. (*h*) Ib. p. 58. (*i*) Ib. p. 44. (*k*) Ib. p. 189. (*l*) Ib. p. 203.

great Value,) no leſs than 2000 Pounds were by the *Engliſh* exacted, at leaſt ſought from and promiſed by the *Scots* when their King was ſet at Liberty: But of this afterwards. And now the Truce, which had been prolonged between *France* and *Scotland* on the one ſide (*a*), and *England* on the other, till the enſuing *Candlemaſs*, was at an End, the *Scots* (*b*) made a formidable Appearance upon the Borders, inſomuch that all *England* took the Alarm, and made haſte to prepare againſt the impending Storm; but King *Henry*, who by this time had begun to look more to the Southward, than his Predeceſſors had done of a long time before, was unwilling to break with the *Scots*; and this, I take it, was the chief Motive that induced him to give way to a Treaty, by vertue of which the Earl of *Fife* was to be exchanged with the young *Henry Percy* (*c*), the Son of *Percy Hotſpur*, and Grandſon of the late Earl of *Northumberland*. It is true, that, according to *Engliſh* Authors, he was prevailed upon by the Friends of that noble and valiant Family, to reſtore the Heir of it to his Blood, Eſtate and Honours upon other Conſiderations, particularly becauſe he had been ſo long detained in *Scotland* againſt his Will. But is it not as reaſonable to think, that being juſt then ready to attempt no leſs than the Conqueſt of *France*, he thought it convenient to leave as few Malcontents behind him in *England* as was poſſible, and if poſſible to lay *Scotland* aſide; neither of which Deſigns could be more probably effected, than by the Exchange I have mentioned. This is certain, that the Exchange was ſo far agreed to, that *Robert Stewart* (*d*) the Son and Heir of the Earl of *Fife*, *George Dunbar* the Son and Heir of the Earl of *March*, the Earl of *Buchan*, the Lord *Graham*, *John Stewart* of *Innermeth*, *Robert Maxwel* of *Calderwood*, and *Andrew Hall* Parſon of *Lyſton*, were appointed to conduct the now Earl of *Northumberland* to, and to receive the Earl of *Fife* upon the Borders. Nay this laſt actually ſet out for *Scotland*, but being, for Reaſons I ſhall juſt now relate, recalled or ſtopt on the Road, he endeavoured to make his Eſcape, and did it, but was (*e*) retaken by *Ralph Padſay*, who for that Piece of good Service merited a Grant of Twenty Pound *Sterling* a Year during his Life.

Earl of *Fife* makes his Eſcape from *England*, but is retaken.

The Reaſon of this Change in the Conduct of King *Henry* is evident; he had a mind to make War with *France*, from whoſe Intereſt he found it impracticable to detatch the Governour of *Scotland*. For this laſt had not only renewed and ſworn to the inviolable Obſervation of the Ancient League (*f*), in preſence of the Ambaſſadors of King *Charles* (who (*g*) had done the ſame ſome Months before) in 1407, two Years after his being advanced to the Helm of Affairs, but alſo moſt part of the Nobility about him had taken an Oath to the ſame Purpoſe (*h*), and given

The Governour and Barons of *Scotland* renew the ancient League with *France*.

(*a*) Fœd. Angl. Tom. IX. p. 91, 92, 93. (*b*) Ib. p. 217. (*c*) Ib. p. 242, 249. (*d*) Ib. p. 244. (*e*) Ib. p. 280. (*f*) See a Copy of the Treaty penes Comit. de Winton. (*g*) Traitez d' entre les Roys de Fr. & d'Angl. p. 227. (*h*) Ibid.

it in Writing to the ſame Ambaſſadors, particularly *Walter* Earl of *Athole* the Governour's Brother, *John* Earl of *Buchan*, his ſecond Son, *Patrick Graham* called in the Record Earl Palatine of *Strathern*, *William* Lord of *Graham*, *John Stewart* of *Darnly*, *James Douglas* of *Abercorn* Brother to the Earl of *Douglas*, and *James Douglas* of *Dalkeith*. Thus the whole Nation ſtood obliged, as their Anceſtors had been for ſo many Ages before, to aſſiſt the King and Kingdom of *France*, as often as required, in oppoſition to the *Engliſh*: And tho from that Time till this there was not ſo great an Occaſion for it, yet I find, that in 1411, when *Scotland* was engaged in a double War domeſtick and foreign (*a*), *Henry Sinclair* Earl of *Orkney* and *Archbald* Earl of *Douglas*, with a great and martial Retinue paſt the Seas, no doubt, to aſſiſt the King of *France* to diſſipate thoſe Factions which were even then come to a very great Height, and which afterward encouraged King *Henry* to the Attempt in Hand. I cannot ſet theſe Matters in their genuine Light without looking back a little, and opening a new Scene of Cauſes and Conſequences.

Diviſions in *France*. Long before this Time (*b*), I mean in the Year 1392, *Charles* VI. King of *France* was all on a ſudden ſeized by a Frenzy, ſo great, that it coſt 4 Men their Lives, who being unfortunately in his Way, as he run to and fro with his Sword in his Hand, were killed by him. All Means were tried towards recovering his Health, but tho he lived about 29 Years after this, and had ſome lucid Intervals, yet could he never be throughly cured; ſo that the Head of the State being thus miſerably diſtempered, it can be thought no matter of Wonder that the Body or Bulk of it came likewiſe to be affected. *Charles* had for Wife *Iſabel* of *Bavaria*, a Fury born for the Deſtruction of that Royal Family, into which ſhe had the Honour to enter. He had three Sons, *Lewis*, *John* and *Charles*, who coming to be *Dauphins*, one after another, were jealous of the Privileges of their Birth. He had a Brother *Lewis* Duke of *Orleans*, who being of an imperious aſpiring Temper, pretended to little leſs than the *Dauphins*; and two Uncles *John* Duke of *Berry*, and *Philip* Duke of *Burgundy*, both good Men, but not ſo good as to prefer the publick to their private Intereſts. The Duke of *Burgundy*, who was alſo Earl of *Flanders*, and by conſequence a very potent Prince, quarrelled with the Duke of *Orleans*, and under their Names two oppoſite Factions at firſt divided the Court, and afterwards the whole Kingdom, inſomuch that Armies were raiſed on both ſides, and open Hoſtilities committed. But Duke *Philip* kept his Hatred within Bounds too narrow for that of *John* his Son and Succeſſor, a brave Prince, but capable of the greateſt of Crimes. He cauſed the Duke of *Orleans* to be aſſaſſinated, ſeized upon *Paris*, cauſed the *Pariſians*, who were for the moſt part in his Intereſt, to revolt, and made the King in ſome Meaſure his

(*a*) Extract. e Chr. Scot. (*b*) Pere d'Orleans p. 168, 169, &c. Traitez d' entre les Roys de Fr. & d' Angl. p. 209, 210, &c. Hiſtoire de Charles VI. par Jean des Urſins Archeveſque de Rheims auteur contemporain ad An. 1392, &c.

his Priſoner, borrowing his Name, and uſurping his Authority, to perpetrate all the Miſchiefs he could deviſe. But the King, who had no Will of his own, was as eaſily loſt as gained; for the adverſe Party having in their Turn found Means to get his Perſon into their Hands, prevailed with him to declare the Duke of *Burgundy* a Rebel, and as ſuch to purſue him with Fire and Sword. This was the State of Affairs in *France*, when *Henry* V. ſucceeded to his Father in the Kingdom of *England*.

Draw thither the Arms of *Henry* V. of *England*.

That Prince, in all other Reſpects a ſincere Chriſtian, ſeemed, like *Cæſar*, to be perſwaded, that Injuſtice was lawful when committed in order to reign: It was not enough that he retained the Poſſeſſion of the Kingdom of *England*, which his Father had uſurped, he alſo reſolved to make himſelf Maſter of *Scotland* and *France*; and it had been long debated in Parliament which of the two he ſhould firſt attempt. *Henry Chichely* Arch-biſhop of *Canterbury* (*a*) was for beginning with *France*. His Reaſons were drawn from the inviting Circumſtances which attended that Court and Kingdom, the Weakneſs of the King, the Diviſions which raged in all Cities and Places, the oppoſite Factions of *Orleans* and *Burgundy*, the old Right which the Kings of *England* had to ſo many Provinces of *France*, and their latter Title to the whole, derived from *Iſabella* the Mother of *Edward* III. down to the now King *Henry* V. his Great-grand-child. Here the Prelate was at much Pains to ſhew that the *Salick* Law, by which King *Edward* had been excluded from the Succeſſion, was but imaginary; that it was Matter of doubt whether any ſuch Law had ever a Being, and that if it had, it was contrary to the Law of God, and conſequently void in it ſelf. I have a great Reſpect for the ſacred Character of Churchmen, and when I find them in their Duty, as I have hitherto found thoſe of my own Country, ſupporting the juſt Rights of Sovereigns, animating the People to Obedience, crying down Uſurpation, exhorting to Peace, and never kindling or fomenting a War, but when undeniably juſt and abſolutely neceſſary, it is with Pleaſure that I tranſmit their exemplary Actions to Poſterity: But when I diſcover a *holy Cheat*, and ſee them for ſelfiſh Ends, not only concerning themſelves with ſecular Affairs, but uſurping upon the *Regale* with Inſolence, or irreligiouſly flattering the Ambition of Princes, and the Humours of People into Acts of Iniquity; it is with Reluctancy that I do it, but I cannot help ſtigmatizing their Memories. What Right *Edward* III. had to the Crown of *France*, I have in the Life of King *David* II. of *Scotland* impartially related; I ſhall in this place ſuppoſe that it was good, and that the *Salick* Law, which barred him from the Succeſſion he ſo much pretended to, and ſo ſucceſsfully contended for, was, what the Arch-biſhop called it, a meer *Chimera*; What then? Was *Henry* V. the lineal and lawful Heir of King *Edward* III?

(*a*) Ech. p. 437, 438. Orleans Liv. 5. p. 176, 177, &c.

III? No indeed: The Heir of Prince *Lionel* was at the Time in Being, and we ſhall afterwards ſee that elder Branch of the *Plantagenets* pull down the Son of the ſame King *Henry* even from the Throne of *England*. If then, either of the two Houſes had a good Right to the Crown of *France*, it was certainly that of *York*, and not that of *Lancaſter*; unleſs we ſhall ſay, that becauſe King *Henry* IV. rebelled againſt, murdered and uſurped the Crown of *Richard* II. his Sovereign the lawful King of *England*, *Henry* V. his Son did thereby acquire a good Title both to *England* and *France*; but did King *Richard* alſo miſgovern *France*, did the States of *France* concur with the Parliament of *England* to depoſe him, and ſet up the Duke of *Lancaſter* in his Place? If they did not, certainly the Duke of *Lancaſter* had no manner of Right to the Crown of *France*; and if he had not, which is evident, it is no raſh Judgment to think that the Arch-biſhop of *Canterbury*, and ſuch as in conjunction with him adviſed the enſuing War, have by this time accounted to God for all the Miſchiefs which it occaſioned. All that can be ſaid in his Vindication is, That the War, tho unjuſt, was neceſſary; for there was a Deſign on foot againſt the Church-lands, a great part of which the King had a mind to ſeize into his own Hands; and to avert the impending Storm, it was politickly concluded by *Chichely* and others, that the moſt effectual Courſe was to ſollicite his Ambition, and to turn his Thoughts to War and Glory; as if God Almighty, to preſerve the Rights of his Church, ſtood in need of, or could connive at the Crimes of Men: On the contrary, we all know that it is not lawful to adviſe or do an ill Thing, were it to preſerve the World from a ſecond Deluge; much leſs is the Church of God, the peculiar and more immediate Care of Heaven, to be defended by unjuſt Means and wicked Devices. Prayers and Tears are the only Weapons the Church can conſcientiouſly make uſe of; and when theſe fail, Patience and Martyrdom. But to break off this Digreſſion.

Ralph de *Nevill* Earl of *Weſtmorland*, declared himſelf, as the Archbiſhop of *Canterbury*, for War; but he thought it adviſable to begin with *Scotland*, which being nearer, more open to Invaſions, deſtitute of a King, and leſs powerful, would probably become an eaſy Prey to ſuch Forces as the King could ſoon bring into the Fields, and when conquered, would be a fair Step to the Conqueſt of *France*: "Whereas, argued he, and he was in the right, "if we ſhall make our firſt Attempt and greateſt Efforts againſt "*France*, we muſt leave the *Scots*, our certain Enemies, behind "us, ready to catch at all Opportunities, of retaliating upon us "the Miſchiefs we intend, or may do to their Allies." "But "*France*, replied the Duke of *Exeter* the King's Uncle, is the "Root and Support of *Scotland*; if we pull up the Root the "Branches muſt fall and fade of courſe, and what ſhould hinder "us, now the whole Tree is ſhaken by the oppoſite Factions

"that

" that rend it to pieces? " The Arguments of the latter prevailed, and the Word was, *War War againſt* France. The next thing fit to be done, was to try if *Scotland* could be laid aſide, and for that purpoſe the different Treaties which I have already mentioned were ſet on foot, and ſeveral ſhort Truces were agreed to, and prolonged from time to time, but in vain. The *Scots* had no ſooner certain Intelligence that *France* was to be invaded, but they run to Arms in order to invade *England* (*a*), and would no doubt have done it, had not they been adviſed, that the Truce between *England* and *France* was on the 24th of *April* (*b*) prolonged till the 8th of *June*. It was afterwards appointed to continue from that time (*c*) till the 15th of *July*, when King *Henry* being now juſt ready to enter upon his intended Expedition againſt *France*, the Governour of *Scotland*, to divert or recall him from that Enterprize (*d*) raiſed an Army of Threeſcore Thouſand Men, and threatned to beſiege *Berwick* by Sea and Land (*e*). Whether he did it or no I cannot tell, but it is certain that, beſides the Land Army, he had a great Fleet (*f*), ſeveral Pieces of Cannon, and other warlike Engines prepared for that important Service. But his Project did not ſucceed, probably becauſe King *Henry* before his Departure for *France*, had taken (as appears (*g*) he did) ſuch Meaſures as did effectually defeat it; ſo that nothing memorable was done this Campaign within the Iſland, ſave that (*h*) *Penreth* in *England* was burnt by the *Scots*, and *Drumfries* in *Scotland* by the *Engliſh*.

The Governour of *Scotland* joins with *France* againſt *England*.

Theſe laſt were much more ſucceſsful in *France*, for King *Henry* having landed his Men on the 15th of *Auguſt* at the Mouth of the River *Seyne*, firſt took the Town of *Harfleur* (*i*), and afterwards gained the Battle of *Agincourt*; a Battle in all Reſpects alike to thoſe of *Poictiers* and *Creſſy*, which King *Edward* III. had gained over the ſame Enemy. The *French*, tho ſix to one, were entirely routed by the *Engliſh* Valour and their own ill Conduct, who would needs fight when there was no Occaſion for it, King *Henry* having expreſſed himſelf willing to reſtore *Harfleur*, and to compenſate all the Damages of the War, if they would but permit him to retire, and who, when they came to Action, fought more like mad Men than Soldiers, without Order, Conduct or Caution, inſomuch that they loſt more than 9000 Gentlemen, beſides Priſoners, ſeverals of whom, particularly the Dukes of *Orleans* and *Bourbon*, were of the firſt Quality. Yet King *Henry* was not able to improve this glorious Victory ſo far as might have been expected, for the Seaſon being far ſpent, and moſt part of his Army being killed in Battle or cut off by Sickneſs, he found himſelf obliged to return to *England* with the Remainder.

Battle of *Agincourt* gained by *Henry* V.

(*a*) Fœd. Angl. Tom. IX. p. 217. (*b*) Ib. p. 225. (*c*) Ib. p. 262, 263, &c. (*d*) Ib. p. 310. (*e*) Ib. p. 307. (*f*) Ibid. (*g*) Ib. p. 299, 307, 310. (*h*) Extract. e Chr. Scot. (*i*) Orleans Liv. 6. p. 183, &c. Ech. p. 441, 445, &c.

Earl of *Fife* exchanged for the Earl of *Northumberland.*

He was no ſooner at home, but, to ſhew how inclinable he ſtill was to keep a good Correſpondence with the *Scots*, he (*a*) ordered the Agreement concerning the Earls of *Fife* and *Northumberland*, which had been hitherto ineffectual, to be executed; and theſe two were accordingly exchanged for one another towards the End

A.D. 1416. of this Year 1415, or the Beginning of the next 1416, when the former Truces being renewed, chiefly by the Mediation of the Emperor *Sigiſmund*, between *France* and *England* and (*b*) their reſpective Allies, a Treaty was again ſet on foot towards relieving the King.

A Treaty towards relieving the King.

It proceeded ſo far, that the King of *England* conſented to his coming to *Scotland* (*c*), provided that he ſhould return by a certain Time, or pay the Sum of 100000 Merks *Sterling*, and give Hoſtages for Performance. The Hoſtages fixed upon, or rather the Perſons appointed to complete the Treaty (*d*), were *Walter Stewart* Earl of *Athole* and Lord of *Brechin*, *Murdoch Stewart* Earl of *Fife*, *John Stewart* his Brother Earl of *Buchan*, *Henry* Biſhop of St. *Andrews*, *William* Biſhop of *Glaſgow*, *Alexander Stewart* Earl of *Marr* and *Garioch*, *Archbald* Earl of *Douglas*, *Alexander Lindſay* Earl of *Crawfurd*, *George Dunbar* Son and Heir of the Earl of *March*, Sir *William* de *Graham*, every one of whom had a Safe-conduct granted to himſelf, and to a Retinue of 40 Perſons by the King of *England*, and Sir *William Douglas* of *Drumlanrig*, whoſe Retinue conſiſted but of 12. It is not to be doubted, but that theſe great Men did all they could, but they could by no means bring that grand Affair to a Cloſe, and the Reaſon, I take it, was this. The Emperor *Sigiſmund*, inſtead of reconciling the two Kings of *France* and *England*, had declared himſelf for, and entred into a League offenſive and defenſive with the latter, who being equally encouraged by ſo great an Acceſſion of Strength, and by the ſtill contending Parties in *France*, reſolved to renew the War, which he thought would be ſo much the more eaſily managed if the King of *Scots* was ſtill detained in *England*, and his Subjects thereby awed

A.D. 1417. into a ſort of Neutrality. But he was miſtaken, for he no ſooner croſſed the Seas in order to his ſecond Expedition againſt *France*, but they, as they had done before, took Arms, and ſat down before, or at leaſt encamped near *Roxburgh*, where, ſays a very good Author (*e*), the Governour gained a great Victory over the *Engliſh*;

The Governour of *Scotland* defeats the *Engliſh*.

then he paſſed the Borders at the Head of his Army, and was enclinable to penetrate much farther into the Enemy's Country, had he not been prevailed with by the Earls of *March* and *Douglas* to retreat. The Reaſon of his Retreat we learn from *Walſingham* (*f*), who tells us, that the Dukes of *Bedford* and *Exeter* had by this time raiſed an Army of above 100000 Men to repel the *Scots*. He adds, that of theſe 40000 were experienced Soldiers, yet they did not think fit to purſue the *Scots* into their own Country, nor did

(*a*) Fœd. Angl. Tom. IX. p. 323. (*b*) Ib. p. 398, &c. (*c*) Ib. p. 417. (*d*) Ib. p. 418, 419. (*e*) Extract. e Chron. Scot. (*f*) p. 399.

did they find an Opportunity of retaliating the late Loſſes which they had ſuſtained at *Roxburgh*: And thus the *Scots* had all the Advantage which was gained during this Summer, tho I muſt own that ſome *Engliſh* Authors, and among the reſt Mr. *Echard* (*a*), tell the Story otherwiſe. They ſay, "That upon the Approach "of the *Engliſh* Army, the *Scots* broke up the Sieges which they "had laid both to *Roxburgh* and *Berwick*, in great Diſorder, lea-"ving all their Tents, Ladders and Engines behind them." But whoever were Victors at home, it is certain, that King *Henry* carried all before him abroad, there being no Army in the Fields to withſtand his Power, and but few Towns well garriſoned, ſo that he found it no hard Task to ſubdue moſt part of *Normandy* and *Maine*, while the Grandees of *France*, regardleſs of the publick Good, were only intent upon the Deſtruction of one another (*b*). For tho the Duke of *Orleans* was ſtill a Priſoner in *England*, yet his Faction, which was now headed by the *Dauphin*, afterwards King *Charles* VII. and the Earl of *Armagnac* Conſtable of *France*, continued to ſtruggle hard againſt that of the Duke of *Burgundy*, who having found means to win over the ambitious and unnatural Queen to his Intereſt, once more made himſelf Maſter of the King, Court and Capital. Theſe Parties were all this time fighting Battles, beſieging Towns, and over-running Provinces in oppoſition to one another; nor did either or them ſeem to be in the leaſt concerned in, or affected with the Conqueſts made upon both by the King of *England*, till he ſat down before *Rouen* the Capital of *Normandy*. Then, and never till then, did they begin to open their Eyes, and to commiſerate the ſinking State; yet ſo invincibly ſtrong was their mutual Hatred, that inſtead of endeavouring to bring about a Reconciliation between themſelves, they choſe rather to treat ſeparately with the common Enemy: But in vain; King *Henry*'s Demands were ſo very high, that neither the *Dauphin* nor Duke of *Burgundy* could comply with them. At length they made ſome Steps towards an Agreement, but ſo ſlowly, that *Rouen* was loſt before it could be patched up: For that great and important City, after having defended it ſelf with great Fidelity and Bravery during the ſpace of 7 Months, capitulated upon the 18th of *January* 1419, becoming by this means again ſubject to the Crown of *England*, 215 Years after the Conqueſt of it by *Philip* King of *France*.

Engliſh Conqueſts in *France*.

A.D. 1418.

A.D. 1419.

The Reduction of *Normandy* laid *Maine*, *Picardy* and the *Iſle* of *France* open to the *Engliſh* Arms, and the victorious Troops of that Nation pierced as far as *Pontoiſe*, *Clermont*, *Beauvais*, *Amiens*, &c. waſting all Places, and enriching themſelves with great Booty. *Freſnai* le *Vicomte* made the greateſt Reſiſtance they had yet met with. There was a *Scots* Garriſon in that Place, commanded by Sir

Bravery of the *Scots* at *Freſnai* in *France*.

(*a*) P. 454. (*b*) Orl. Liv. 5. Traitez d'entre. Hiſtoire de Charles VI. ad An. 1416, 1417, 1418.

Sir *Thomas Quelſetray* (*a*) and Sir *William Douglas*, two brave Gentlemen, who had been ſent over the laſt Year by the Governour of *Scotland* to the Aſſiſtance of the *Dauphin*, and had done innumerable Damages to the common Enemy; but being now ſhut up and beſieged in *Freſnai*, could do nothing but ſtand to their own Defence, and by their Agents abroad ſollicite for Relief. At length a Party of Men was ſent with Orders to ſuccour them, if poſſible. Upon which a bloody Conflict enſued, wherein, ſays *Walſingham* (*b*), 100 *Scotſmen* being killed, the Standard of Sir *William Douglas* was taken, and by the King of *England*'s Orders hung up in the Church dedicated to our bleſſed Lady at *Rouen*. But if the Arch-biſhop of *Rheims* (*c*), a contemporary Author, may be believed, the *Scots* and *French* had often their Revenge: For they made frequent and brisk Sallies, and would ſometimes defeat the *Engliſh*, tho in Number four to one, inſomuch that *Freſnai* held out full 18 Months, which ſo exaſperated King *Henry*, that tho he made ſeveral ſhort Truces this Year, ſometimes with the *Dauphin*, and ſometimes with the Duke of *Burgundy*, he would never allow the Garriſon of that Place to be comprehended in any of them. Short Truces were likewiſe agreed to from time to time by the *Scots* and *Engliſh* at home, ſo that nothing memorable with reſpect to the War hapned either this or the preceeding Year within the Iſland, ſave that in this (*d*), the Caſtle of *Werk* was taken by *William Haliburton* of *Faſtcaſtle*, from *Robert Ogle* the *Engliſh* Governour of it: But this laſt found Means to retake it very ſoon after, by Treachery ſay the *Scots*, the *Engliſh* ſay otherwiſe, and I do not pretend to determine the Matter. But if the *Scots* were not ſo active in carrying on the War at home, as they had been before, they did more Service to their Allies abroad, and began to make a greater Figure beyond Seas than at any time before or ſince. For the unfortunate *Dauphin*, being almoſt reduced to Deſpair, and in a great Meaſure overpowered by domeſtick Fraud and foreign Force, could have Recourſe to none but to the Governour and States of *Scotland*. Being perſwaded by their former good Offices, and the inviolable League ſo long maintained between the two Nations (*e*), that they would not abandon him, as his diſtracted Father, unnatural Mother, barbarous Couſin, and with them moſt part of the Kingdom of *France*, had done, he ſent the Earl of *Vendome* to *Scotland*, to entreat that a greater Supply of Forces might be forthwith embarked towards his Aſſiſtance. Accordingly 7000 Men were raiſed with all Expedition, and committed to the Conduct of *John* Earl of *Buchan* the Governour's ſecond Son, who commanded them in chief, and was nobly aſſiſted by his Brother *Robert*, *Archbald* Earl of *Wigton* Son to the Earl of *Douglas*, Sir *Alexander Lindſay* Brother to the Earl of *Crawfurd*, and

7000 *Scots* ſent over to *France*.

(*a*) Hiſt. du Roy Charles VI. p. 453. (*b*) p. 401. (*c*) Hiſt. du Roy Charles VI. p. 454. (*d*) Extract. e Chr. Scot. (*e*) Buchan. p. 336. &c. Boet. fol. 343, &c.

and Sir *Thomas Swinton*, all Gentlemen of great Reputation and Honour. That theſe Auxiliaries were ſent over to *France* this Year 1419, and not afterwards, as ſome Authors relate, I have many Reaſons to believe; for I find, that the next Year 1420 (*a*), the King of *Scotland* was in *France*, and all Authors agree, that he conducted thither to try if his Preſence or Commands could [illegible] the *Scots* who were in the *French* Service over to that of the [illegible]. The *Scots* Auxiliaries were then in *France* before, or at leaſt towards the Beginning of the Year 1420. I likewiſe find, that in *Auguſt* 1419 (*b*), a great Fleet was fitted out by Orders from King *Henry*, to intercept that which the *Dauphin* was to ſend by the Weſt of *England* to *Scotland*, for tranſporting a great Number of *Scotſmen* to *France*, and that they arrived in a fit time I ſhall very ſoon have Occaſion to take notice; but I muſt firſt obſerve, that ſome *Engliſh* and *French* Writers, among the reſt *Pere d'Orleans* (*c*), aſſert, that the Succours I ſpeak of did not amount to above 700 Horſe. Which, to ſay no worſe, is a great Miſtake; for the contemporary Author (*d*) I have already cited, acknowledges that they were between 4 and 5000 fighting Men after their Arrival in *France*, and to be ſure their Numbers muſt have been greater when they firſt ſet Sail: Beſides I ſhall afterwards ſhew that *Scotland* has ſent, upon other Occaſions, more than 7000 Men to the ſame Service, and why not now?

They landed at *Rochelle*, to the inexpreſſible Satisfaction of the *Dauphin*, who having about this time cauſed, or at leaſt permitted his outrageous Enemy the Duke of *Burgundy* to be inhumanly murdered, 12 Years after this laſt had treated the Duke of *Orleans* in the ſame manner, was now more than ever obnoxious to the irreconcilable Hatred of his own Mother, and the ſucceeding Duke of *Burgundy*, who not only made an open War againſt him, but began to take Meaſures in conjunction with the common and prevailing Enemy, towards diſinheriting him and his Poſterity for ever. To bring about that Deſign, *Philip* (for ſo was this Duke of *Burgundy* called,) ſent Ambaſſadors to *Rouen*, where the King of *England* kept his Court, and went in Perſon to *Troye*, where that of *France* was at the time. To be ſhort, both the King of *England* and Queen of *France*, and conſequently the King of *France* alſo, (for he ever did what they who were about him deſired,) complied with the Propoſals he made to them; and it was agreed that the *Dauphin* ſhould be diſinherited, that the King of *England* ſhould marry the beautiful Princeſs *Katharine* of *France*, that he and ſhe ſhould ſucceed to King *Charles* in the Kingdom of *France*, and that in the mean time he ſhould take upon him the Title, and exerciſe the Office of Regent and Heir of that Realm. In purſuance of this Treaty King *Henry* went to *Troye*, and was A. D. 1420.

(*a*) Fœd. Angl. Tom. X. p. 19. Hiſt. du Roy Charles VI. p. 478. (*b*) Ib. Tom. IX. p. 791. (*c*) Liv. 6. p. 204. (*d*) Hiſt. du Roy Charles VI. p. 491.

actually married with the Princeſs on the 2d Day of *June*. His Priſoner the King of *Scotland* was one of thoſe who aſſiſted at that magnificent Ceremony; which when it was finiſhed (*a*), the three Kings and two Queens, accompanied by the Duke of *Burgundy*, and backed with a great Army, ſet out for *Paris*, where they did not arrive till the Month of *December*, having been obliged to fight their Way, and to beſiege ſeveral Cities that adhered to the *Dauphin*, particularly *Sens*, *Montereau* and *Melun*. When they came before this laſt Place, I find, that King *Henry* granted a Safe-conduct (*b*) to Sir *William Douglas* of *Drumlanrig*, and 20 more in his Company, who were going to *France*, in order to wait upon the King their Maſter, but with this remarkable *Proviſo*, That they ſhould do nothing prejudicial to him (the King of *England*,) or to his deareſt Father the King of *France*. From this we learn what will afterwards appear more conſpicuouſly, that tho the King of *Scotland* was himſelf againſt his Will compelled to countenance, or rather to witneſs the Encroachments made by his old Enemies, againſt his older Allies, (for I have elſewhere ſhewed, that the two *Britiſh* Crowns have not always been ſtated in oppoſition to one another,) yet his Subjects could very well diſtinguiſh between the Deference which they owed to their King, when captivated, and to the ſame King when independent and free: For, notwithſtanding he was in the Hands of his and their avowed Enemies, they ſent fit Perſons to guard his ſacred Perſon; but regardleſs of what Orders they might receive to the contrary from him, ſtated as he then was, adhered firmly to that Intereſt which he outwardly ſeemed to oppoſe, but inwardly favoured, as I ſhall afterwards evince; inſomuch, that if we may believe a very exact *French* Author (*c*), they enabled the *Dauphin* not only to keep ſeveral Provinces, that had otherwiſe fallen off, under his Obedience; but alſo to make Head againſt the united Forces both of the *Burgundians* and *Engliſh*. Nor were they idle at home, for I find that while the Earl of *Buchan* and the brave Volunteers under his Conduct were thus endeavouring to ſave *France*, the Earl of *Douglas* being deſirous to make a Diverſion in *England*, paſt the Borders (*d*), burnt *Newark*, returned with a great Booty, and had probably done much more Miſchief to the Enemy, had not a Peſt, fatal to a great many of the higheſt Quality and Merit in *Scotland*, namely to the Earls of *Marr* and *Orkney*, put a Stop to his Carreer.

Robert Duke of *Albany* dies.

Among the reſt (*e*), *Robert* Duke of *Albany* the Governour of *Scotland*, being now Fourſcore Years old, died in the Caſtle of *Stirling* on the 3d of *September*, and notwithſtanding he was much ſuſpected of the Murder of his Nephew the Duke of *Rotheſay*, and of Remiſneſs with reference to the King's Freedom; yet in all other Reſpects it is certain, that he was one of the greateſt and beſt

(*a*) Hiſt du Roy Charles VI p 478. (*b*) Fœd Angl. Tom. X. p. 19. (*c*) Traitez d'entre les Roys de Fr. & d'Angl. p. 323. (*d*) Extract. e Chr. Scot. (*e*) Ibid.

beſt Men of his Age; inſomuch that the Chronologiſt, I have but juſt now cited, extolls his Courage, Juſtice, Piety and Prudence to the very Skies, and tranſmits an Epitaph made upon him to Poſterity, wherein the Author of it aſſerts, that he was,

Jura tuens, & pacis amans, & maximus armis.

He poſſeſſed

——*quidquid in principe mundus adorat.*

Which if it be true, there's Reaſon to think that he was not guilty of the villanous Crime with which After-writers have charged him. Much about the ſame time *Richard* II. at leaſt a Perſon ſo called, and entertained as ſuch both by the late King and Governour of *Scotland*, died alſo in the Caſtle of *Stirling*; and both were royally interred, the pretended King in the *Dominican*'s Church at *Stirling*, and the Governour at *Dumfermling*, among the Bodies of a great many Kings his Anceſtors. The pretended King *Richard* II. dies.

This laſt was ſucceeded in the Government of the Kingdom by *Murdoch Stewart* his eldeſt Son, now Duke of *Albany* and Earl of *Fife* and *Menteith*, the very ſame who had been ſo long detained a Priſoner in *England*; but he came very far ſhort of his Father either in Parts or Performances, being of ſo ſluggiſh a Diſpoſition, that, as it afterwards appeared, he was ſcarcely capable of governing his own Family, much leſs a Kingdom. Yet in the Beginning of his Adminiſtration Matters were managed tolerably well, and ſome very loyal Attempts were made towards effecting the Freedom of the King, tho I muſt own, that they were more owing to the old Earl of *Douglas* than to the new made Governour: For King *Henry* having thought fit to leave the Management of his Affairs in *France* to the Duke of *Clarence*, and being himſelf returned to *London*, with the Queen his Wife and the King of *Scots*; the Earls of *Douglas* and *Athole* (*a*) went thither in *April* 1421, and it was not long before the former entred into an Agreement (*b*) with the King of *England*, by which he obliged himſelf, during his Life, to ſerve that Monarch by Sea or Land, at home or abroad, as often as required, againſt all living, (his own Liege Lord the King of *Scotland* being excepted,) with 200 Foot and as many Horſe, and that at his own Charges, the King of *England* allowing him an yearly Revenue of 200 Lib. for defraying his Charges in going by Sea or Land to the Army. The King of *England* on the other hand, in conſideration of the Earl's promiſed Services, and more particularly to teſtify his great Affection to his moſt dear Couſin the King of *Scots*, obliged himſelf to permit the ſaid King to go to *Scotland*, and to ſtay there for a certain Time agreed to, provided *Murdoch* D. of *Albany* Governour of *Scotland*.

A.D. 1421.

Remarkable Agreement between the King of *England* and Earl of *Douglas*.

(*a*) Fœd. Angl. Tom. X. p. 100. (*b*) Ib. p. 123, 124, 125.

that three Months after their Return from *France*, (for he was again reſolved to go back to that Kingdom, and, as before, to take the King of *Scotland* along with him) ſufficient Hoſtages ſhould come to *England* and aſcertain the Faith of the Treaty. Theſe were *Walter Stewart* Earl of *Athole*, *Walter Stewart* Son and Heir of the Duke of *Albany*, *Thomas* Earl of *Murray*, *William* Earl of *Alexander* Earl of *Crawfurd*, *William* Earl of *Orkney*, the Bp. St. *Andrews*, *Glaſgow*, *Dunkeld* and *Murray*, *James Douglas* Son to the Earl of *Douglas*, *Robert* Lord of *Erskine*, *William Hay* Lord of *Errol* and Conſtable of *Scotland*, *Robert Stewart* Lord of *Lorn*, *James Sandilands* Lord of *Calder*, *Malcolm Fleming* Lord of *Biggar*, *James Hamilton* Lord of *Cadzow*, *Thomas Boyd* Lord of *Kilmarnock*, *Robert Keith* Marſhal of *Scotland*, and *William Borthwick* Lord of *Borthwick*. But this Treaty, being only conditional, was not to have its Effect till three Months after the Return of both Kings from *France*: For, as I have obſerved, King *Henry* thought it abſolutely fit that the King of *Scotland* ſhould accompany him through the whole Courſe of his Conqueſts; the rather, becauſe he hoped by this means, if not to draw over the *Scots*, who were already in *France*, to his ſide, at leaſt to ſet thoſe of that Nation againſt one another, and ſo to create Jealouſies and Diviſions among them. Nor did he altogether miſs of his Aim; For,

As the *Scots* were at that time ſo zealouſly well affected to their Country, that they could omit no Opportunity of bearing down the encroaching Power of its open Enemy, who, contrary to all Laws divine and humane, detained their King a Priſoner in his own Hands, ſo they had ſuch a profound Reſpect for their King, and were ſo heartily loyal, that they could not hear of his being expoſed to the Dangers of War, without endeavouring his Safety by all the generous and prudent Means in their Power. With this View it was, that a great many brave Gentlemen would needs have the dangerous and chargable Honour of guarding his Perſon, and by conſequence of fighting Battles, which it was both his and their Intereſt to loſe. The moſt eminent of thoſe Worthies (*a*) were *Alexander Seton* Lord of *Gordon*, the illuſtrious Anceſtor of the preſent Duke of *Gordon*, and of all the *Seton-Gordons* who ſince that time have had the Honour to deſcend from that noble and untainted Family, Sir *Alexander Forbes* Lord of *Forbes* the loyal Anceſtor of the preſent Lord *Forbes*, *Alexander Kennedy* and *Fergus Kennedy*, *John Sinclair* (*b*), *William Blair* and *John Winton*. Nor did they go ſingle, for the Lord *Gordon* took along with him 40 Lances, and 100 Horſe or Attenders upon himſelf and his Lances; the Lord *Forbes* had as many under his Command; the two *Kennedies* had 30 Lances and 60 Horſe; *John Sinclair* had the ſame Number, and the two laſt being themſelves Eſquires or Men at Arms, had a Retinue of 12 Perſons. But before that memorable Band, or even the two

Remarkable Loyalty of the Lords of *Gordon*, *Forbes* and others.

Kings

(*a*) Fœd. Angl. Tom. X. p. 127, 128. (*b*) Ibid. p. 153, 154.

Kings were ready to ſet out, their Countrymen having encountred the Flower of the *Engliſh* Army at *Bauge* in *Anjou*, had given them a ſignal Overthrow, killed a great many Perſons of the firſt Quality, and among the reſt King *Henry*'s Brother the Duke of *Clarence*; and made no fewer Priſoners, of whom his Uncle the Earl of *Somerſet* was one. This Victory, which I ſhall relate at large in the Life of the Earl of *Buchan* who gained it, was ſo vexatious to King *Henry*, that as ſoon as he arrived in *France*, he promiſed not only Freedom, but other great Rewards (*a*) to King *James*, if he would iſſue out his Orders, commanding all his Subjects in *France* to repair to his Standard, upon pain of being declared Rebels to their lawful and undoubted Sovereign. But King *James* would by no means comply with that Requeſt, alledging, what was true, That his Subjects would have no Regard to his Orders while he continued a Priſoner, and was by conſequence thought to be acted by the Will of another, and not his own. King *Henry* admired the Wiſdom of this Anſwer, and at length gave over inſiſting upon the Matter; yet gave out, to terrify the *Scots*, that their Sovereign willed them to come over to him, or at leaſt to return to their own Country; but in vain, for they unanimouſly declared, that tho they ſhould receive an expreſs Mandate from him, they would not obey while he was under the Power of an Enemy; which ſo exaſperated King *Henry*, that he cauſed all of that Nation that had the Misfortune to fall into his Hands to be put to Death, as being found in Arms againſt their Sovereign; among the reſt 30 *Scots* Soldiers were taken at the Siege of *Meaux* and unmercifully hanged (*b*). But, if we may believe *Boethius* and ſome others, King *Henry* paid dear for his Inhumanity in that Reſpect, for ſome time after this, having laid waſte the Country of *Brie*, and in it the Lands belonging to the Church of St. *Fiacre*, he was all on a ſudden ſeized with a Diſtemper commonly called by the *French*, *le mal de Saint* Fiacre. He therefore asked who this St. *Fiacre* was, and being told that he was the Son of a *Scots* King; *Then*, anſwered he, *I am undone, for it is evident, that they of that Nation have been born for our Deſtruction, ſince they ſo implacably oppoſe us at home and abroad, when dead and when alive, nay even when they come to be Saints in Heaven.* This may be true; but if it be ſo, others will be of Opinion, that the Diſtemper that affected King *Henry* was more fortuitous than miraculous, tho even Mr. *Echard* (*c*) acknowledges, *That there ſeemed to be ſomething of the more immediate Hand of Providence in it, which now began to chaſtiſe the Progeny of King* Henry IV. For his Son expired at *Bois de Vincennes* in *France* on the 31ſt Day of *Auguſt* 1422, in the prime of his Years, and amidſt the moſt flouriſhing Lawrels which had ever been gained by an *Engliſh* Monarch; and he was ſoon followed by his Father-in-law *Charles* VI. King of *France*, a Prince fortunate only in this, that he had not

Battle of *Bauge* gained by the *Scots*.

Wiſe Anſwer made by the King.

Reſolution of the *Scots*.

Cruelty of *Henry* V. of *England*.

A.D. 1422

His Death.

Death of *Charles* VI. of *France*.

(*a*) Holinſhed p. 375. (*b*) Boet. f. 344. Walſingh. p. 406. (*c*) p. 474.

not of a long time been Maſter of his Reaſon, and therefore had no Senſe of the Misfortunes which he drew upon himſelf, his Son and Kingdom. His Wife *Iſabel* of *Bavaria*, who had been the principal Inſtrument of the Miſchiefs he did, now felt the juſt Puniſhment due to her unnatural Ambition, being left deſtitute even of the Neceſſaries of Life, and abandoned to the Neglect and Contempt of every Body. Thus *Henry* VI. of *England*, the Son of the late King *Henry* V. and of *Katharine* of *France*, was in his very Cradle loaded with the Weight of two Crowns; that of *France*, (moſt part of which Kingdom his Father had conquered by Force of Arms, or peaceably poſſeſt in purſuance of the Agreement he made with the *French* and *Burgundian* Courts,) and that of *England*, which ſubmitted entirely to him, as if he had been the rightful Heir. But we ſhall afterwards ſee that his Head was not fitted for either of theſe Diadems, and that the Fall of the one drew after it that of the other. Nevertheleſs the happy Beginning of his double Reign ſeemed to promiſe a better End, inſomuch that the *Engliſh* might well regret the Death of his Father for his own ſake, but for ſome Years could ſcarcely perceive that they had loſt him. This Effect, ſo unuſual during the Nonage of Sovereigns, was owing to the Concord and Conduct of the young King's two Uncles the Dukes of *Bedford* and *Gloceſter*: For the firſt proſecuted the War with equal Vigour and Succeſs in *France*, while the ſecond ſecured the Peace, and kept Plenty in *England*. To be ſure the Affairs of the *Dauphin*, now *Charles* VII. King of *France*, (for ſo was he called by the *Scots* and a few *French* Loyaliſts,) (*a*) muſt needs decline in proportion to the riſing Glories of his Rival; yet being hopeful, that theſe two great Events, I mean the Death of his diſtempered Father, and that of his encroaching Brother-in-law the mighty King *Henry*, would prove advantageous to him, he permitted the Earls of *Buchan* (*b*) and *Wigton* to return to *Scotland* in order to make Recruits, and by their Preſence to cement the Friendſhip of the two Nations. But before their Departure he made the firſt Conſtable of *France*, the higheſt Dignity he could give; and aſſured the ſecond of ſuch Preferments as his Merits deſerved. He detained in their place Sir *John Stewart* of *Darnly* Conſtable of the *Scots* Army (*c*), to whom he gave this ſame Year a Grant of the Lordſhip of *Aubigny*, ſo long afterwards poſſeſt by his brave and noble Poſterity; notwithſtanding he is called in the Record I have juſt now cited, *Sieur d'* Ernette *& de* Concreſſant, which ſhews, that his former Services had been already rewarded with no leſs than two fair Eſtates in that charming Country.

Henry VI. ſucceeds to the Crowns of *England* and *France*.

Charles VII. owned to be King of *France* by the *Scots* and a few loyal *French*.

Stewart of *Darnly* his Preferments.

The Governour of *Scotland* was ſo well pleaſed with the Return of his heroick Brother and Kinſman, that he reſolved not only to grant their Requeſts, but alſo, by making a Diverſion in *England*, to

(*a*) Traitez d'entre les Roys de Fr. & d'Angl. p. 343. (*b*) Boet. f. 344. (*c*) Traitez d'entre, &c. p. 558.

to expreſs the Regard he had for the King and Kingdom of *France*. Accordingly he raiſed two Armies, and ſetting himſelf at the Head of the one inveſted *Berwick*; while the Earl of *Douglas* with another laid Siege to *Roxburgh*. But neither of them had Succeſs; for which Reaſon, that ill concerted Expedition (or *Raid*, as they called it) was lampooned even by the Soldiers themſelves, and the common People, who in that martial Age thought it infamous to be led out to Action without returning, if not with Victory, at leaſt with Booty. But whence it came that the Earl of *Douglas*, contrary to his Engagements with King *Henry* V. did now act directly againſt his Son, is ſome Matter of Doubt. It is probable that the Son, or rather his Tutors, appeared unwilling to perform what the Father had promiſed; and certain, that the Earl did yet more to the great Detriment and Diſſatisfaction of the *Engliſh* Nation: For his Son the Earl of *Wigton* being ſick, and by conſequence unable to go back to *France* the enſuing Year 1423, as he had promiſed, he himſelf, with another of his Sons, went thither, and carried along with them a Reinforcement of about 5000 Men, who nevertheleſs did not arrive in *France* (*a*) till the beginning of the next Year. And yet it is certain, that the Earl was, in conſideration (*b*) of ſo *potent an Aid*, created Duke of *Touraine*, and Lieutenant-General of all the *French*, as well as *Scots* Forces within *France*; and that theſe great Preferments were conferred upon him on the 19th of *April*, for which he renounced his former Engagements with the King of *England* (*c*), and took an Oath of Fidelity to the King of *France*, promiſing to maintain within his Dukedom all the Rights of the Crown, with reſpect to the Coinage of Money, Aids, Subſidies, Levies of Men, *&c.* As for the Earl of *Buchan*, I find by one of his Charters (*d*), (wherein he calls himſelf Earl of *Buchan*, Conſtable of *France*, and Chamberlain of *Scotland*) that he remained in *Scotland* till the Month of *October*, in which Month not only (*e*) the Governour of *Scotland* himſelf, but alſo *Walter* his eldeſt Son, *Walter* Earl of *Athole*, and generally all the great Men, Prelates and Barons within the Kingdom, took an Oath in preſence of the *French* Ambaſſadors, and obliged themſelves in Writing to preſerve the old League inviolably, to aſſiſt King *Charles* both againſt the *Engliſh*, and all his other Enemies whatſoever, and never to conclude ſo much as a Truce with them without his Conſent. They alſo undertook for their King, that after his being freed from Captivity, he ſhould ratify and make good all theſe Engagements. So that we may eaſily conjecture what it was that detained the *French* Conſtable ſo long behind the Duke of *Touraine*, and have ſome Reaſon to think that the grand Reinforcement I have mentioned, did not ſail from *Scotland* till after this time. I take notice of theſe otherwiſe inconſiderable

The *Scots* invade *England* to no purpoſe.

A. D. 1423.

5000 *Scots* ſent to *France*.

Earl of *Douglas* made Duke of *Touraine*.

Old League with *France* renewed.

(*a*) Extrait. d'une Chron. MSS. ou Hiſtoire du Roy Charles VI. p. 557. (*b*) Traitez d' entre p. 558, 559. (*c*) Ibid. p. 344. (*d*) Penes Dav. nunc Comit. de Buchan. (*e*) Traitez d' entre, &c. p. 558, 559.

Circumſtances, with reſpect to Time and Perſons, the rather becauſe (what to me ſeems very ſurpriſing) I find, that from the very Beginning of this ſame Year, wherein the *Scots* abroad, under the Conduct of the Lord *Darnly* or *d'Aubigny*, fought (*a*) ſo bravely, tho unſucceſsfully at *Crevant*, againſt the ſtill prevailing *Engliſh*; and not only renewed their old Engagements with the *French*, but alſo ſent Armies over the Seas to their Aſſiſtance; I find, I ſay, that, notwithſtanding their avowed Friendſhip to *France*, they had from the very Beginning of this Year, entred into an amicable Treaty with the Governours of *England*, about the Freedom of their King; nay they had made ſuch a Progreſs in it by the 10th of *September* laſt, a full Month at leaſt, before renewing their Treaties with, or embarking their deſigned Succours for *France*, that it was as good as concluded. And I cannot ſee a Reaſon why the *Engliſh* ſuffered themſelves to be treated after that manner, but one, which is, that they found it impracticable to detach the *Scots* Nation from the *French* Intereſt, while their King remained a Captive in *England*; and they hoped to obtain more by a friendly Treaty and the King's Freedom, than could be expected from the falſe Methods which both *Henry* IV. and *Henry* V. had formerly purſued. This, if I am not miſtaken, was the only Motive that induced the *Engliſh* to part with the Perſon of the *Scots* King, notwithſtanding their Averſion to, and the continued Oppoſition which they even then met with from his Subjects. *Scots* Authors (*b*) give another Reaſon (and I think a worſe one) why his Subjects, or rather his Uncle the Governour of *Scotland*, began now to expreſs ſo much Zeal and Inclination to effect his Delivery. It we may believe them, I mean *Boethius* and *Buchanan*.

Treaty about the King's Freedom.

Robert Duke of *Albany* being removed from the Throne but by two Princes, *David* and *James*, cauſed the firſt to be ſtarved to Death, and during his Adminiſtration never intended, much leſs attempted the Freedom of the ſecond. His Son Duke *Murdoch*, who ſucceeded to him in the Government of the Kingdom, purſued the ſame unnatural and diſloyal Meaſures, till his Incapacity to govern made all Ranks of People long for their hopeful, but captivated Sovereign. Neither is it probable, add they, that he would have complied with their Deſires, if his own undutiful Children had not forced him to it. He had three Sons, *Walter*, *James* and *Alexander*, all diſſolute Youths, and for their many Vices odious to the whole Nation: The eldeſt particularly became ſo inſolent, that in a Paſſion he ſnatched an Hawk or Falcon out of his Father's Hand, and wrung off the Neck of that innocent Bird, preciſely becauſe the old Man liked it, and would not part with it. Upon which he ſaid to his Son, *Well, ſince you will not obey me, I will find a Way to bring home another, to whom both I and you muſt be ſubject.* What Truth there is in all this, I cannot tell, but am ſure, and

(*a*) Extrait d'une Chron. p. 555. (*b*) Buchan. p. 339. Boet. f. 345.

and have evinced, that both Duke *Robert*, and this Duke *Murdoch* did often before this time ſet Treaties on foot about the Freedom of the King. How far they were in earneſt it is not eaſy to gueſs, but by all the authentick Accounts I have ſeen of thoſe Times, to me it is evident, that Duke *Robert* was not only a great Prince, but alſo a religious well meaning Man, and a ſincere Lover of the Royal Family; for whoſe ſake (*a*) he founded ſome Chaplanries, (as they were then called) appointing, as is ſtill uſual in the Church of *Rome*, divine Service to be daily offered for the Souls not only of the Kings, his Brother, Father, Great-grand-father, *&c.* but alſo for thoſe of *Alexander*, *William* and *Malcolm*, becauſe they had likewiſe been Kings of *Scotland*. As for his Son Duke *Murdoch*, it is certain, that however he might have been miſled in other Reſpects, he ſupported the grand Intereſt of the Nation in general, with uncommon Vigour; and remarkable, that towards the beginning of this Year, as I have already obſerved, that is, in the ſecond of his Adminiſtration, he ſet on foot that ſucceſsful Treaty which terminated in the King's Freedom. The Perſons employed in it (*b*) were *William* Biſhop of *Glaſgow* and Chancellor of *Scotland*, *George Dunbar* Earl of *March*, *John Montgomery* of *Ardroſſan*, Sir *Patrick Dunbar* of *Bele*, Sir *Robert Lawder* of *Edrington*, Sir *William Borthwick* of *Borthwick*, Sir *John Forreſter* of *Corſtorphin*, and *Dugal Drummond* a Prieſt. Theſe Commiſſioners agreed with thoſe of the young *Henry*, that another Congreſs ſhould be held in *September* next at *Pontfract* or *York*, where the King of *Scots* ſhould be preſent. And henceforth I find, that that Prince was more civilly uſed, than, it ſeems, he had formerly been: For, beſides what was due (*c*) for his publick and ordinary Charges, as well as thoſe of his Eſquires, Clerks, Pages, Valets, *&c.* which was ordered to be punctually paid, the Treaſurer was appointed to give him by way of Compliment (*d*), the Sum of 100 Pounds *Sterling* for his *ſecret Expences*, as the Record has it. Nay (*e*), when the time appointed for the Congreſs was drawing near, all manner of Neceſſaries, ſuch as Baggage-Horſes, Oxen, Sheep, Fiſh, Capons, Hens, Chickens (ſo exact was the *Engliſh* Council in the minuteſt things) were plentifully provided for his Journey from *London* to *Pontfract*, and from thence back to *London*. Which ſhews that the Court of *England* was now heartily inclined to an Accommodation with the *Scots*: And the ſame thing appears yet more plainly, from the private Inſtructions given to the *Engliſh* Ambaſſadors before their ſetting out. They had Orders,

Inſtructions given to the *Engliſh* Commiſſioners.

I. In caſe the *Scots* ſhould deſire to have a private Conference with their King before the Arrival of the Chancellor of *England*, to grant it, but with great Difficulty.

II. In-

(*a*) Crawfurd's Hiſt. of the Stewarts, p. 78. (*b*) Fœd. Angl. Tom. X. p. 286. (*c*) Ib. p. 293. (*d*) Ib. p. 290. (*e*) Ib. p. 296.

II. In caſe the *Scots* ſhould offer a reaſonable Sum for the Charges of their King while he was detained in *England*, to accept of it: But if they ſhould not, to ask the Sum of 40000 Pounds; which if they ſhould alſo refuſe, to inſiſt upon the Sum of 36000 at leaſt, it being reaſonable that they ſhould pay 2000 Pounds for every Year he had been in *England*, and entertained at the Charges of that Kingdom.

III. To endeavour by all honourable Means the Concluſion of a final Peace between the two Kingdoms; and if that could not be obtained, to procure a long Truce.

IV. To preſs, that during the Truce the *Scots* would afford no Succours to the Enemies of *England*, and that they would recall the armed Power which they then had in *France*. *Inſiſt upon this Article as much as Diſcretion and Prudence will allow*, ſays the Record.

V. If the *Scots* Ambaſſadors ſhould talk of a Marriage between their King and ſome *Engliſh* Lady, to tell them, that he himſelf is acquainted not only with ſeveral *Engliſh* Ladies of high Birth, but alſo with Princeſſes of the Blood Royal, and that he may make his own Choice: But if the *Scots* ſhould make no ſuch Propoſal, to be very cautious in that reſpect, *becauſe the Women of* England *are not wont to make the firſt Addreſſes of that kind to Men.*

I need make no Remarks upon theſe Inſtructions, they evidently ſhew how ſollicitous the *Engliſh* then were to bring about a Peace with *Scotland*, and by conſequence, how damagable the *Scots* Valour had been to their Affairs in *France*. They alſo confute the Ignorance or Injuſtice of ſome *Scots* Authors, who tell us, that the *Engliſh* exacted 100000 Merks *Sterling* for King *James* I's Ranſom, as they had formerly done for that of King *David* II. whereas we are now aſſured, that they exacted no Ranſom at all for King *James*, (probably becauſe he was not taken as his Predeceſſor in a fair War) but only an Allowance for his Subſiſtence and Education while he ſtaid among them; tho, to ſay the Truth, and I have elſewhere taken notice of it, they ſought much more than the Double of what they had expended upon him: But then I muſt tell my Reader, that as 25000 Merks of King *David*'s Ranſom were, for ought I can ſee, never paid, ſo I have Reaſon to think, that the *Engliſh* did never receive above a third Part of what they pretended due for King *James*'s Subſiſtence. But of this afterwards.

Scots Authors confuted.

The Governour of *Scotland*, on the other Hand, did not fail to name ſuch as he and the Three Eſtates thought fit, to perfect the Treaty, which had ſome Months before been ſo happily begun. The Commiſſion granted by him is extant (*a*), and dated at *Innerkething* the 19th of *Auguſt* 1423. By it we know who they were that had the Honour to be employed in that important Tranſaction; and I am ſorry, that I find not in it one of thoſe ſaid by *Boethius*

(*a*) Fœd. Angl. Tom. X. p. 298.

Boethius (*a*) and other *Scots* Authors to have been the Perſons. Inſtead of thoſe they mention, the following Names remain upon Record, *William* Biſhop of *Glaſgow*, *George* Earl of *March*, *James Douglas* of *Balvany* his Brother, *Patrick* Abbot of *Cambuskenneth*, *John* Abbot of *Balmerinoch*, Sir *Patrick Dunbar* of *Bele*, Sir *Robert Lawder* of *Edrington*, Mr. *George Borthwick* Arch-Deacon of *Glaſgow*, and *Patrick Houſton* Chanon of *Glaſgow*. And ſince theſe Writers have taken the Freedom to name Ambaſſadors who were not ſuch, we need not doubt, but the eloquent Harangue ſaid to have been pronounced by one of them is alſo fictitious; for which Reaſon I will not give my ſelf the Trouble to tranſcribe it, being more fond of reſcuing from Oblivion, and of tranſmitting to After-ages the bare Names of my Countrymen's brave and loyal Anceſtors, than of pleaſing my Reader with Speeches or Letters tho ever ſo elaborate, if not alſo genuine. Neither ought I to paſs over in ſilence, the principal Perſons concerned in great Affairs, tho they acted in oppoſition to my Country or Countrymen. The Plenipotentiaries for *England* (*b*) were *Thomas* Biſhop of *Durham* Chancellor of *England*, *Philip* Biſhop of *Wincheſter*, *Henry Percy* Earl of *Northumberland*, and Mr. *John Wodeham*. They met with the *Scots* not at *Pontfract*, as was firſt deſigned, but at *York*; and on the 10th of *September* they came to this Agreement.

Articles of the Treaty about the King's Freedom.

I. That the King of *Scotland* and his Heirs, as an Equivalent for his Entertainment while in *England*, ſhould pay to the King of *England* and his Heirs, at *London* in the Church of St. *Paul* by equal Proportions, the Sum of 40000 Pounds *Sterling*.

II. That the firſt Payment, amounting to the Sum of 10000 Merks, ſhould be made ſix Months after the King of *Scotland*'s entring his own Kingdom; that the like Sum ſhould be paid the next Year, and ſo on during the ſpace of ſix Years, when the whole Sum would be cleared, unleſs, after payment of 40000 Merks, the laſt Payment of 10000 ſhould be remitted at the Entreaty of the moſt illuſtrious Prince *Thomas* Duke of *Exeter*. Why at the Entreaty of that Duke more than at that of any other of King *Henry*'s Uncles, I know not. Perhaps the King of *Scotland* had been more intimately acquainted with him, and therefore depended more peculiarly upon his Friendſhip.

III. That the King of *Scotland*, before entring his own Kingdom, ſhould give ſufficient Hoſtages for Performance on his part: But in regard that the *Scots* Plenipotentiaries had no Inſtructions concerning Hoſtages, it was agreed,

IV. That the King of *Scotland* ſhould be at *Branſpath* or *Durham* by the firſt of *March* next, where he ſhould be attended by the Nobles of his Blood, and other Subjects, in order to fix the Number and Quality of the Hoſtages.

(*a*) Fol. 346. (*b*) Fœd. Angl. Tom. X. p. 299, 300.

V. That to cement and perpetuate the Amity of the two Kingdoms, the Governour of *Scotland* ſhould ſend Ambaſſadors to *London*, with Power to conclude a Contract of Marriage between the King of *Scotland* and ſome Lady of the firſt Quality in *England*.

In purſuance of this laſt Article (*a*), *Thomas Somervel* of *Carnwath* and *Walter Ogilvy* were added to the Number of the *Scots* Ambaſſadors I have already mentioned, and all together were diſpatched to *London*, where, on the 4th of *December* (*b*), they ratified all the former Articles, and further undertook for the King, "That he ſhould deliver his Hoſtages to the King of *England*'s "Officers in the City of *Durham*, before the laſt Day of the enſu- "ing Month of *March*; that he ſhould alſo deliver to the ſaid "Officers, four obligatory Letters for the whole Sum of 40000 "Pounds, from the four Burghs of *Edinburgh*, *Perth*, *Dundee* and *A*- "*berdeen*; that he ſhould give his own obligatory Letter to the ſame "purpoſe before removing from *Durham*, and ſhould renew the "ſame four Days after his being arrived in his own Kingdom; "that the Hoſtages might be changed from time to time for others "of the ſame Fortune and Quality; that if any of them ſhould "die in *England*, others ſhould be ſent thither in their room; "and that while they continued to ſtay in *England*, they ſhould live "at their own Charges."

Thus we ſee how much a little Money was valued even by opulent *England*, before the late Diſcovery of the Weſtern *Indies* and *Peruvian* Mines. But the *Scots* Ambaſſadors had ſomething elſe to do, beſides giving ſufficient Security for the Sum demanded; they alſo conſented to and witneſſed the Marriage of their youthful King, with the moſt beautiful Princeſs *Jean*, Daughter to the late Earl of *Somerſet*, who was a Son of *John* of *Gaunt* the firſt Duke of *Lancaſter* and titular King of *Caſtile*, and of *Katharine* Daughter to *Thomas Holland* Earl of *Kent*, Brother-uterine to King *Richard* II. The matrimonial Ceremony muſt have been performed on the
A.D. 1424. firſt or ſecond of *February* 1424; for I find, that on the 28th of the preceeding *January* (*c*), 24 Pounds *Sterling* were ordered by the King of *England*, with Conſent of his Council, to be given out of the Exchequer for a Suit of Cloth of Gold to the King of *Scotland*, (how much Gold could be in that Suit I cannot gueſs,)
King *James* I. his Marriage. for the Solemnity of his Marriage; and that on the 3d of *February* next (*d*) he diſcharged and diſpenſed with the Payment of 10000 Pounds, being the laſt Proportion of the 40000 Pounds due for the Charges of the King of *Scotland*, in conſideration of the Marriage *celebrated* between the ſaid King and his *moſt dear Couſin* Jean,
Buchanan miſtaken. *&c.* So that only a fourth Part, inſtead of the Half, as *Buchanan* (*e*) has it, of King *James*'s Ranſom was given down, or diſpenſed with, for the Portion of his Royal Conſort. Neither ought it to be called a Ranſom, as I have already obſerved, ſince it was only exacted

(*a*) Feed. Angl. Tom. X. p. 301. (*b*) Ib. p. 302, 303. (*c*) Ib. p. 321. (*d*) Ib. p. 322. (*e*) p. 330.

exacted as an Equivalent, for the Money which the Kings of *England* had deburſed towards his Entertainment and Education. But to proceed,

Matters being thus adjuſted, the King and Queen of *Scotland*, being accompanied with a noble Retinue, both of *Scots* and *Engliſh*, ſet out for *Durham* at the appointed Time, and had the mortifying Pleaſure, at their Arrival, to ſee a prodigious Number of their beſt Subjects, already come thither to attend them, and to court the Honour of freeing their Sovereign from Captivity, at the rate of remaining Captives in his Room. It is a Pity that the Name of any of theſe Worthies ſhould not be preſerved, the rather becauſe moſt of the Families which they honoured by that generous and loyal Action, are ſtill extant. I ſhall therefore, tho ſome Criticks will, I doubt not, condemn that unuſual Method, ſet down all thoſe I have found upon Record; and becauſe I likewiſe find, to how much the yearly Revenues of moſt of their Eſtates did then amount, (for the *Engliſh* Commiſſioners would needs know the Value of thoſe Gentlemen's Eſtates who were to remain as Hoſtages in their Hands,) I ſhall alſo gratify the Curioſity of my Readers in that reſpect. The Hoſtages were in Number Twelve, namely (a),

	Yearly Revenues. Merks *Sterl.*	
David eldeſt Son and Heir of the Earl of *Athole*	1200	Hoſtages for the King, who they were.
Thomas Earl of *Murray*	1000	
Alexander Earl of *Crawfurd*	1000	
Duncan Campbel Lord of *Argyle*	1500	
William Douglas Son and Heir of the Lord of *Dalkeith*	1500	
Gilbert Son and Heir of *William Hay* Conſtable of *Scotland*	800	
Robert Keith Marſhal of *Scotland*	800	
Robert Erskine Lord of *Erskine*	1000	
Walter Lord of *Dirlton*	800	
Thomas Boyd Lord of *Kilmarnock*	500	
Patrick Dunbar Lord of *Cumnock*	500	
Alexander Lord of *Gordon*	400	

The yearly Income of this laſt, we ſee, is this leaſt, yet as little as it now ſeems to have been, that brave Gentleman, as I have already related, had ſome Years before been enabled by it to raiſe for a Guard to his captivated Maſter, and to entertain even in *France* no leſs than 50 Lances and 100 Horſe: So that we muſt not look upon thoſe Incomes as inconſiderable, tho they come very far ſhort of what the ſame Lands now yield to thoſe who poſſeſs them. But this by the by. Beſides theſe Hoſtages I have named, who were actually delivered up to the *Engliſh*, the following ones were appointed to ſupply their Place, in caſe the former ſhould fail by Death or otherwiſe.

(a) Fœd. Angl. Tom. X. p. 308, 327, 328, 333.

	Yearly Revenues. Merks *Sterl.*
William Lord of *Abernethy*	500
Hugh Frazer Lord of *Lovet*, his Evaluation is not ſet down.	
James Dunbar Lord of *Frendraught*	500
Andrew Gray Lord of *Fowlis*	600
Robert Levingſton Lord of *Levingſton*	400
John Lindſay	500
Robert de *Lyle*	300
James Lord of *Calder*	400
James Hamilton Lord of *Cadzow*	500
William Lord de *Ruthven*	400
William Oliphant Lord of *Abirdalgy*, his Evaluation is not ſet down.	
Robert Son and Heir of Lord *Robert* de *Maitland*	400
David Menzies	200
David Ogilvy	200
Patrick Son and Heir of Lord *John Lyon*	300

The Names of theſe who were in a manner Sacrifices for Honour and Loyalty, are more than once to be ſeen in different Records: But theſe were not the only Perſons willing to ſacrifice their Lives and Fortunes upon the ſame Account; for, to ſay nothing in this Place of a great many more, who, to ſupply their Places afterwards, underwent the ſame Fate, I find that the King was alſo attended at *Durham* by the Earls of *Lennox*, *Wigton* and *Strathern*, *John Semple* of *Eleſton*, *Maxwel* of *Carlaverock*, *Herries* of *Tarregles*, *Stewart* of *Bute*, *Kennedy* of *Carrick*, *Cuningham* of *Kilmawrs*, *Campbel* of *Lowdon*, *David Leſly* of *Leſly*, *Lawder* of *Baſs*, Sir *Alexander Forbes*, *Patrick Houſton*, *Walter Ogilvy*, *Levingſton* of *Kallendar*, *Hay* of *Yeſter*, *Crichton* of *Crichton*, *Drummond* of *Cargill*, *Weems* of *Reireſs*, *Ramſay* of *Dalhouſie*, *Borthwick* of *Heriot*, *&c.* And to what Number all theſe and their Retinues did amount, is hard to tell, but certain, that they muſt needs look more like an Army than a King's Court; for in thoſe Days no *Scots* Gentleman of Quality went abroad without a numerous Train of Horſe and Foot, as appears from the Paſports granted to them by the Kings of *England*, when their Occaſions led them to that Kingdom. And thoſe ſo well equipped and ſo numerous Attendants made, in my Opinion, a much finer Shew, than the more expenſive Coaches, and cowardly Livery-men, the inglorious Vanity of After-ages renders neceſſary to great Ones.

And now King *James* (*a*) having delivered up his Hoſtages, his own obligatory Letter, and thoſe of the Communities or Burghs of *Edinburgh*, *Perth*, *Dundee* and *Aberdeen*, there was no more wanting to compleat his Freedom, but to ſettle a laſting Peace between the two Nations by means of a formal Treaty. Indeed that was what

(*a*) Fœd. Angl. Tom. X. p. 327, 328.

what the *Engliſh* moſt wanted; but the *Scots* would by no means hearken to ſuch Terms as were in the leaſt derogatory from their old and late Engagements with *France*. Wherefore, inſtead of a Peace, (*a*) a Truce was concluded on the 28th of *March*, ſuch as, no doubt, they knew that the *French* King would approve of; for it was to laſt but ſeven Years, from the firſt of the following *May* till the ſame Day 1431, that is, one Year beyond the Time prefixed for paying the Debt contracted by *Scotland*, and for relieving the *Scots* Hoſtages from their Confinement in *England*. In the mean time the *Scots* had a compleat Army in the Service of *France*, which was all that Crown could in Reaſon demand of them: And all the Satisfaction demanded by the *Engliſh* from King *James* upon that Account was (*b*), "That in regard ſeveral of his Subjects "who were in *France*, could not be hindred from waging War a- "gainſt the King of *England*, he ſhould proteſt and declare, that "he had no Intention to anſwer for their Deeds, nor meant to "have them comprehended in the Truce agreed to, till they ſhould "return to their own Country; in which Caſe, he promiſed to "reſtrain them from committing any more Hoſtilities, while the Truce ſhould laſt." The Conſervators of it on the part of *England* were the Dukes of *Gloceſter* and *Exeter*, the Earls of *March*, *Warwick*, *Northumberland* and *Weſtmorland*, the Lords *Willoughby*, *Umphraville*, &c. They for *Scotland* were the Duke of *Albany*, Earls of *Athole*, *Marr*, *Wigton* and *March*, Lord *Gilbert Hay* Conſtable of *Scotland*, *John* Lord of *Seton*, *James Douglas* Lord of *Dalkeith* and *John Forreſter*; every one of whom had the full Power of a Guardian and Marſhal within his own Diſtrict, being appointed to repair and puniſh Injuries of all ſorts, but more eſpecially all Breaches of the Truce.

A ſeven Years Truce

I have entred into the Detail of theſe Proceedings, both to ſhew my Countrymen what Share their reſpective Anceſtors had in them, and to correct the innumerable Miſtakes of all *Scots* and *Engliſh* Authors who have hitherto written upon the Subject; but more particularly, to confute that groundleſs, and I beg leave to ſay, impudent Aſſertion of *Holinſhed*, which Mr. *Echard* has been pleaſed (with how much Reaſon or Juſtice let the World judge,) to tranſcribe. According to them, "*James* I. King of *Scotland*, "whoſe Ranſom had been ſettled in the late Reign, was now fully "ſet at Liberty: But before his Departure out of the Kingdom, he "did Homage to young King *Henry* in *Windſor* Caſtle, in the Pre- "ſence of many of the Nobility and Gentry, in theſe Words. *I* "James Stewart *King of the* Scots, *will be true and faithful to you* "*Lord* Henry *King of* England *and* France, *the Superior Lord of* "Scotland; *and to you I make my Fidelity for the ſaid Kingdom, which* "*I hold and claim of you, and will do you Service for the ſame. So help* "*me God and theſe holy Evangeliſts.* But notwithſtanding this

Engliſh Authors confuted.

(*a*) Fœd. Angl. Tom. X. p. 328, 329. (*b*) Ibid.

" ſolemn Oath, and the many munificent Preſents that were made " to him, he did not long continue in the *Engliſh* Intereſt, but af- " terwards became as firm to the *French* as any of his Predeceſſors " had been. " What Mr. *Echard* ſays laſt concerning King *James*'s Adherence to the *French*, is very true, but it is the only true thing contained in all he ſays upon the Subject; and ſince ſo late and ſo celebrated an Author as he, is, from *Engliſh* Records, convicted in the preſent Caſe of deſigned Falſhoods, or groſs Inadvertencies, what Credit can be given to *Engliſh* Authors? I have made the ſame Reflection upon our *Scots* Hiſtorians, as often as I have found any of them guilty of the like Enormities; and if any ſuch be ever charged upon me, I ſhall own my Ignorance or Inadvertency (for I pretend not to be infallible,) or demonſtrate the Injuſtice of the Charger.

King *James* being now, by the Means I have related, at full Liberty, left *Durham* on the 29th or 30th of *March*, being gloriouſly attended not only by a great Number of his own Subjects, but alſo by the Earl of *Northumberland*, and all the Nobility and Gentry in the North of *England* (*a*), who had expreſs Orders to conduct him to his own Territories with all imaginable Honour. Being arrived at *Melroſs*, in purſuance of an Article of the Treaty, he confirmed and ratified the whole (*b*) on the 5th of *April*, four Days after he had paſt the Borders. He kept the Feſtival of *Eaſter* at *Edinburgh* (*c*): Which Solemnity being finiſhed, and joyful Hymns being ſung in all the Churches of the Kingdom, for the double, tho unequal Bleſſing of Chriſt's Reſurrection and the King's Freedom, he proceeded on his Journey to *Perth*, and from thence to *Scoon*, where, on the 20th of the Month I mentioned laſt, he was placed in the Chair of State by Duke *Murdoch*, (an Office belonging to him as Earl of *Fife*,) and crowned and anointed by the Biſhop of St. *Andrew*'s. His Royal Conſort was alſo crowned Queen: And the Reader may eaſily gueſs, with what Tranſports of Joy the Spectators beheld that beautiful Pair, thus poſſeſſed of the Diadem which the King ought to have worn more than Eighteen Years before: For, tho he himſelf and the Eſtates of Parliament (*d*), called this (as indeed it was, conformably to my former Computation when ſpeaking of his Father's Death,) the ninteenth Year of his Reign, yet he had been ſo far from reigning in effect, that on the contrary, he had been all that time in the Hands of his Enemies, ſometimes ſhut up in a cloſe Priſon, and often in Battles not his own, expoſed to the Darts and Swords even of his loyal Subjects and faithful Allies. As theſe Conſiderations, and that of his being unfairly captivated when he was as yet but an Infant, had formerly raiſed Indignation and Anger, ſo now he was free and upon the Throne, they could not fail of occaſioning, I know not what Mixture of pleaſing Sorrow, ſcit

The King arrives at *Melroſs*.

Is crowned at *Scoon*.

(*a*) Fœd. Angl. Tom. X. p. 332. (*b*) Ibid. (*c*) Hawthornden's Life of K. James I. Boet. Buchan. &c. in Vit. ejuſd. (*d*) See firſt Parl. of K. James I.

ſoft Compaſſion, ſatisfied but not ſatiated Deſire, comfortable Hopes, awful Love and amorous Fear. They now ſaw, and in a manner poſſeſſed the Perſon, whoſe very Pictures they had ſo much admired; they were now convinced by his Preſence of the great and good things Fame had reported of him in his Abſence. To be ſhort, they found their Prince ſo debonaire, ſo polite, ſo knowing in all Languages Arts and Sciences, ſo perfectly well acquainted with Men, Manners, and Things, and ſo happily married with a Princeſs, as humble as great, and as good as beautiful; that inſtead of reproaching the Kings of *England* with taking and detaining him againſt Juſtice and Reaſon, they became thankful for the princely Education he had received at their Courts at home, and in their Armies abroad. Theſe were the Sentiments of all Ranks of People, who had crowded to meet their returning Sovereign upon the Road, and who now had the Pleaſure to witneſs the Solemnity of his Coronation. And he, to make it the more pompous, and to give ſome Teſtimony of his Gratitude to ſuch as he had as yet Reaſon to think had been dutiful during his Abſence, he conferred the Honour of Knighthood upon ſeveral Noblemen and young Gentlemen, namely (*a*) *Alexander Stewart* the youngeſt Son of the Duke of *Albany*, *Archbald* Earl of *Douglas*, *William Douglas* Earl of *Angus*, *George Dunbar* Earl of *March*, *Alexander Lindſay* Earl of *Crawfurd*, *Adam Hepburn* of *Hales*, *Thomas Hay* of *Yeſter* or *Lochinwaret*, *Alexander Seton* of *Gordon*, *Walter Halyburton* of *Dirlton*, *Patrick Ogilvy* of *Ouchterhouſe*, *David Stewart* of *Roſſyth*, *John Stewart* of *Dundonald*, *John Stewart* of *Cairdin*, *William Erskine* of *Kinnoull*, *David Murray* of *Gask*, *William Crichton* of *Crichton*, *William Hay* of *Errol* Conſtable of *Scotland*, *John Scrimgeour* Conſtable of *Dundee*, *Henry Maxwel* of *Carlaverock*, *Herbert Harris* of *Terregles*, *Robert Cuningham* of *Kilmawrs*, and *Alexander Irvine* of *Drum*. Knights made as his Coronation.

The next thing to be done of Courſe was the calling of a Grand Council or Parliament, which met accordingly (*b*) at *Perth* the 26th of *May*; and here ſeveral good Acts were paſt, and among the reſt two highly juſt and abſolutely neceſſary, as Matters ſtood, yet ſuch as proved afterwards fatal to a great many private Men, and to almoſt the whole Royal Family. By one of them a large Subſidy was appointed to be paid for *the King's Coſtage* (as it is worded) in *England*, which ſhews what I have evinced in another place, that the Money was exacted only in conſideration of the Deburſements made by the *Engliſh* towards his Entertainment, and not by way of Ranſom, as if he had been a Priſoner of War. However, this Subſidy fell very heavy upon the common People, all the Neceſſaries of Life being taxed, and Auditors, as they were called, appointed to take care that the inferior Taxmen ſhould diſcharge their Truſt with all the Expedition imaginable. His firſt Parliament. A Subſidy impoſed.

(*a*) Extract. e Chr. Scot. (*b*) See Parl. 1. of K. James I.

The Auditors were the Biſhops of *Dunkeld* and *Dumblain*, the Abbots of *Balmerino* and S. *Columb*'s Inch, Mr. *John Shevez*, the Earl of *Athole*, Sir *Patrick Dunbar*, *William Borthwick*, *Patrick Ogilvy*, *James Douglas* of *Balvany* and *William Erskine* of *Kinnoull*. Theſe Gentlemen (*a*) found great Difficulties in the Execution of their Office; for tho there was Plenty of all things elſe in the Nation, yet Money was very ſcarce; beſides, the People had of a long time been unaccuſtomed to pay Taxes, and the Day appointed for ther paying this one, being the 12th of *July* next to come, was by much too ſhort; ſo that a general Diſſatisfaction appeared every where among the Populace, and the King pitying their Poverty, remitted what remained yet due to him after the firſt Payment, but reſolving to go another way to work, he never afterwards exacted any Subſidy of his Subjects till the Marriage of his Daughter. But his tender Regard in this Reſpect, was one of the Cauſes why, for ought I can ſee, of the Sum of 30000 Pounds, which were payable over and above the Queen's Portion to the King of *England*, only 950 Merks were ever paid: For I find upon Record but two partial Payments made by the *Scots*, the firſt of 450 Merks (*b*) in *July* 1425, the other of 500 (*c*) in *December* 1428; and that long after this, particularly (*d*) in *July* 1434, and (*e*) 1435, and (*f*) in *February* 1436, the King of *England* appointed Commiſſioners to receive the Remainder; but to no purpoſe, as is evident, ſince (*g*) in the Month of *December* 1438, more than a Year after the Death of King *James* I. *Duncan Weems*, one of his Hoſtages, was ſtill detained a Priſoner in the Tower of *London*. And ſince I have again chanced to ſpeak of the King's Hoſtages, I ſhall once for all inſert the memorable Names of thoſe who had the troubleſome Honour to ſerve him in that Quality: For by an expreſs Article of the Treaty it was provided, that the Hoſtages might be changed from time to time for others of the ſame Rank and Fortune. Accordingly (*h*) in *July* 1425, *Patrick* Son and Heir of the Earl of *March*, *John Montgomery* of *Ardroſſan*, *Robert Stewart* of *Lorn*, *Thomas Hay* of *Yeſter*, *William Borthwick* elder, *Adam Hepburn* of *Hales*, *Norman Leſly*, *George Lyle* and *Andrew Keith* of *Inverrugy*, were ſent to *England* in the Room of the like Number of thoſe I mentioned before. In the ſame manner (*i*) the Earls of *Sutherland* and *Menteith*, ... *Ogilvy* the Son and Heir of the Sheriff of *Angus*, *William Wallace*, *John Kennedy* of *Blatharn*, *William Douglas* of *Hawthornden*, *Walter Fenton*, *William Douglas* of *Drumlanrig*, *Henry Douglas* of *Lochlevin* and *Logton*, and *Malcolm Fleming* Son and Heir of *Malcolm Fleming* of *Cumbernald*, were ſent to *England* in *November* 1427; as were a great many more (*k*) of the Sirnames of *Meldrum*, *Stirling*, *Garden*, *Colvil*, *Kinloch*, *Baillie*, *Weems*, *Cathcart*, *Straton*, *Cuningham*, *Kinnaird*, *Scot*, *Ramſay*, *Graham*, *Crawfurd*, *Towries* and *Fenton*,

The King's Hoſtages exchanged for others.

(*a* Buchan. Hawthornden loc. cit. (*b*) Fœd. Angl. Tom. X. p. 342. (*c*) Ib. p 409. (*d*) Ib. p. 596. (*e*) Ib. p. 620. (*f*) Ib. p. 629. (*g*) Ib. p. 712. (*h*) Ib. p. 348. (*i*) Ib. p. 381, 382. (*k*) Ib. p. 512.

Fenton, in *June* 1432. Moſt of theſe muſt needs have died during their Confinement, at leaſt it is probable that they were not relieved till a new Revolution hapned in *England*, which obliged both the contending Parties to court the Friendſhip of the *Scots*, and by conſequence to forbear inſiſting upon ſuch Demands as they knew were originally juſt. From all this it appears, how heartily loyal the Majority of the *Scots* Nation were in thoſe Days to their King, and what a vaſt Treaſure muſt needs have been carried out of the Kingdom, towards defraying the Charges of ſo many Noblemen and Gentlemen, ſome of whoſe Ladies went along with, or followed their Husbands (*a*), and who had all Servants and Attendants ſuitably to their Birth and Fortune. This vaſt Charge, which required ready Money, made the Gentry as well as Commonalty incapable to furniſh their reſpective Shares of the Subſidy impoſed upon them by the Act of Parliament. But if the Body of the Nation was by theſe Means reduced to Poverty, the King himſelf was, for other Reaſons, much more ſo. It is true that his Anceſtors Kings of *Scotland*, had always, or for the moſt part, enough of their own to ſupport their Royal Dignity in time of Peace, and their Subjects generally got more by the War than was neceſſary to carry it on after the Faſhion of thoſe Days: Beſides, the happy Acceſſion of the opulent Houſe of *Stewart* to the Throne, very much contributed to enrich it, inſomuch, that if the late Governours had not for their own Ends, alienated both the Crown Lands and the ancient Inheritances belonging to their Family, the King would have found no great Difficulty, either in paying the publick Debt, or in ſupporting the Grandeur becoming his Station. But he now found, that of all his Demains, ancient Inheritances and Rights, nothing was left undiſpoſed of to himſelf and his Succeſſors, but the Cuſtoms of Towns and Burghs. For this Reaſon it was, that by another Act of the ſame Parliament all the Sheriffs of the Kingdom were ordered to enquire what *Lands, Poſſeſſions, Annualrents, &c.* belonged to his Anceſtors of *gud Memorie*, *David* II. *Robert* II. and *Robert* III. and in whoſe Hands they then were; and *gif it lykis the King*, adds the Statute, he may *gar*, that is, cauſe ſummon all his Tenents in order to produce their Charters and Evidences, that by the Tenor of them he may perceive what is juſtly their own, and what alſo in Juſtice ought to be returned to the Crown. This Act was highly reaſonable, and to be ſure not unprecedented, at leaſt I find that it was renewed in all After-reigns, as often as the Nonage or Abſence of Sovereigns occaſioned the Demains and Rights of the Crown to be, as in the preſent Caſe, waſted or given away. But who are willing to part with Riches, tho ever ſo unjuſtly acquired? The Number of thoſe who were at the time in poſſeſſion of the alienated Lands was ſo great, and their Perſons ſo conſiderable, that it was not eaſy to bring them

Crown Lands reſumed.

(*a*) Fœd. Angl. Tom. X. p. 337, 340, 342, 364.

to Reaſon. The King notwithſtanding, was poſitively reſolved to put the Law in Execution againſt them, being perſwaded, that it was much more adviſeable to retrench the immenſe and unjuſtly acquired Wealth of a few, than to ſuffer the whole Nation to ſink under the intolerable Preſſure of an endleſs Debt. He had Reaſon, the rather becauſe his Ally the King of *France*, from whom he might have expected preſent Supplies of Money, or of any thing elſe, in better Times, was now more than ever incapable of repaying the infinite Obligations he owed to the *Scotiſh* Nation: For his Army had been defeated at *Vernoil* on the 18th of *Auguſt* by that of the Duke of *Bedford*; unluckily for the *Scots* in his Service (*a*), for they loſt the brave Earl of *Buchan*, who for his high Birth and great Deſerts, had been made Conſtable of *France* (*b*), and the admirable Earl of *Douglas* Duke of *Touraine*, againſt whoſe Advice the Battle was fought; but more unluckily for himſelf, ſince he was thereby ſo very much weakned, that he and the Loyaliſts in his Intereſt, thought themſelves indebted to Fortune, as a *French* Author has it, becauſe, during the four Years that followed after that memorable Overthrow till the Siege of *Orleans*, when no leſs than a Miracle was neceſſary to retrieve their Affairs, the *Engliſh* could not drive them quite over the *Loire*. The firſt Inconveniency, and a very great one it was, that enſued upon the Loſs of the Battle, was an almoſt incurable Diviſion among the Few who had hitherto been faithful to their King; for even the Earl of *Richmond* (*c*), whom he had preferred to be Conſtable of *France* in the Room of the late Earl of *Buchan*, was like to eſpouſe a different Intereſt, and none remained ſteady, or inclinable to ſhare in the further Malheurs of that Monarch, but the Marſhal *de Bouſſac*, the Lord *Valpergue*, the Sieur *Ponilly*, and, ſays my Author, *all the* Scots. They were now commanded by their Conſtable the Lord *Darnly*, than whom, as will appear in his Life, no Man was fitter to ſupply the Vacancy left him by the Deaths above-mentioned: But as the Truce with *England* did not for ſome time permit King *James* to ſend over Recruits to him, ſo the checkered, but for the moſt part adverſe Fortune of King *Charles*, hindred that Prince from making ſuitable Returns for the good Offices he had received. Wherefore,

Battle of *Vernoil* loſt by the *French* and *Scots*.

Fidelity of the *Scots* in *France*.

King *James* ſeeing his own Subjects impoveriſhed, and his Allies very near ruined, ſoon found that he could neither pay off the National Debt, nor ſupport his own Dignity, without reannexing his alienated Lands to the Crown. Therefore, in purſuance of the late Act of Parliament, he examined very narrowly how Matters had been managed during his Abſence; and, as one Diſcovery leads to another, he not only underſtood by whom, and how his Revenues had been dilapidated, but was alſo informed of many great Crimes committed by thoſe in Power, to the great

Damage

(*a*) Orleans p. 213. (*b*) See their Lives. (*c*) Hiſt. du Roy Charles VI. p. 560, 561.

Damage of the Clergy, Merchants and Populace. The first that felt the Weight of his Displeasure (*a*) were the Lords *Walter Stewart*, tho his own near Cousin, and the eldest Son of the late Governour; *Malcolm Fleming* of *Cumbernald*, and *Thomas Boyd* of *Kilmarnock*. They were all three arrested, the first being committed a close Prisoner to the *Bass*, and the other two to the Castle of *Dalkeith*: But these last, having made Amends for the Misdemeanors laid to their Charge, not long after obtained Pardon. However, the King's Procedure in this Affair gave his Subjects to know, what a severe Justiciary he was like to prove, which, as it was very agreeable to the Body and Bulk of the Nation, so it was terrifying to the guilty Consciences of great Numbers. The Duke of *Albany* resented the Treatment his Son had met with, so did his Father-in-law the Earl of *Lennox*, and both being apprehensive of the like Fate began to carry on such Intrigues, and to do such things, (what they were no Author relates,) as made the King no less jealous of them, than they were of him: But he prudently concealed his Thoughts till the next Parliament, which met (*b*) at *Perth* on the 12th of *March* 1425, where, after having felt the Pulse of his People, he caused the Duke of *Albany*, the Earls of *Lennox*, *Douglas*, *Angus* and *March*, *Alexander Stewart* another Son of the Duke of *Albany*, *Walter Ogilvy*, *Adam Hepburn* of *Hales*, *Robert Graham*, *Thomas Hay* of *Yester*, and no less than Twenty more Persons of good Quality, to be arrested. A daring Step for a Prince so lately admitted to the Exercise of the sovereign Power, and indeed such an one, as, tho it was almost absolutely necessary, yet in my Opinion, gave the first Rise to Dissentions and Quarrels between the *Scots* Kings and their Subjects: I say their Subjects, meaning a Plurality of them; for tho in bypast Reigns one or two great Men might at a Time have been malcontent and disaffected to the Sovereign; yet since the Days of King *Malcolm Kanmore*, or at least of King *Edgar* his Son, a Plurality of Malcontents, that is, many Families disaffected to Kings unquestionably such, were not to be found in *Scotland*. Thus, in the preceeding Reign one great Man the Earl of *March* was disaffected, nay rebellious; but he was single: Not one Man did ever revolt against either *Robert* II. or *David* II. unless we call those Rebels who adhered to the Interest of the *Baliol*. I may say the same of the Reigns of all their Predecessors as far back as I have mentioned; and farther back we cannot go, without wandring in the midst of Uncertainties: For, without the Light of Records or contemporary Histories, none of which are extant anterior to King *Edgar*, I reckon all Accounts and Relations whatsoever uncertain, and tho true upon the main, yet in most Circumstances fictitious and false. I say again, that unless we call those Rebels who adhered to the *Baliol*, and that is

Great Men arrested and punished.

A.D. 1425.

Second Parliament of K. *James* I.

First Cause of Rebellions in *Scotland*.

Loyalty of the *Scots* to their native Princes.

(*a*) Buchan. p. 341, &c. Boet. f. 346, &c. Holinsh. p. 378. Hawthornden p. 8, 9, 10, &c. Joan. Major. &c. in vit. Jac. I. (*b*) See Acts of his second Parliament.

more than I dare do, or thoſe, who thought themſelves no Subjects to the Crown of *Scotland*, ſuch as the Lords of the *Iſles* and *Galloway*, I can diſcover no Tract of Rebellion, ſcarcely of Diſſatisfaction in the Nation, from the Reign of *Malcolm Kanmore* till now, when a great many Families, being neceſſarly diſobliged by one of the beſt of Kings, unluckily tranſmitted their ſeditious Spirit, together with their Blood, to Poſterity; and it may be ſaid of the Spirit of Sedition, as of Fame, that *vires acquirit eundo*.

The ſame Day that Duke *Murdoch* was apprehended and ſent a a Priſoner to the Caſtle of *Carlaverock*, the King ſeized upon all his Houſes and Caſtles, as *Falkland* in *Fife*, and *Down* in *Menteith*, out of which he removed the Dutcheſs to *Tantallon* in *Lothian*. Thus that whole Family, and moſt of its more immediate Dependants and Creatures were ſuddenly diſgraced, and committed to different Goals, only one *James Stewart* a younger Son of the Duke's, whom Youth and hitherto harmleſs Behaviour had exempted from Suſpicion, was, unluckily for himſelf and his Kindred, free from Conſtraint; for he made a very ill Uſe of his Liberty. Inſtead of addreſſing his Sovereign, as he ought to have done, with Prayers and Tears, he betook himſelf to Arms, fell down from the Highlands, to which it ſeems he had retired, and on the 3d of *May* being *Holy-Rood-Day* or the Invention of the Croſs, ſet the Town of *Dumbarton* on fire, after having put all or moſt of the Inhabitants to the Sword, among the reſt Sir *John Stewart* of *Dundonald*, his own Couſin and the King's Uncle, becauſe a natural Son of King *Robert* II. He thought by this means to have terrified the King into Lenity, but he ſoon found his Miſtake, being ſo cloſely purſued, that he was fain to fly into *Ireland*, whither alſo, ſays *Buchanan*, the Wife of his eldeſt Brother the Lord *Walter*, with her two Sons *Andrew* and *Alexander*, and *Arthur* a Baſtard, afterwards retired, but returned in the Reign of King *James* III. and were endowed with very great Honours. In this *Buchanan* is miſtaken, tho he afterwards aſſerts the ſame thing again and again: For *Andrew*, *James* and *Arthur Stewarts*, who came from *Ireland* in the Reign of King *James* III. were all the natural Sons of this *James*, the ſecond or youngeſt Son of Duke *Murdoch*, as appears by their three Legitimations ſtill extant in the Regiſter, and dated the 28th of *Auguſt* 1472. However, it is true that great Numbers of thoſe who were moſt deeply engaged in Duke *Murdoch*'s Faction, did follow his Son *James* to, and canton themſelves in *Ireland*; for which Reaſon there were no leſs than four Statutes made in a ſubſequent Parliament holden the next Year at *Perth* (*a*), prohibiting *all manner of Intercourſe or Correſpondence with that Nation, but upon certain Terms and Conditions therein expreſſed.* And this Prohibition, ſay the Statutes, is not made out of Hatred to, or with Deſign to break the *auld* Friendſhip betwixt the King, or his Subjects,

A Son of the Duke of *Albany* revolts.

Miſtake of *Buchanan*'s.

King *James* I. his third Parliament.

(*a*) Blar.'s Acts Edit. An. 1566. fol. xxi.

jects, and *their gude auld Friends of* Iriſchery, but becauſe of the Entertainment given in that Country to notorious Rebels, who, if the Paſſage was open and free, might have Occaſion to do Miſchief to *Scotland*. Another Reaſon for the ſame Prohibition is, becauſe they in *Iriſchery* who are ſubject to the King of *England*, might alſo come to *Scotland* at pleaſure, and diſcover the *Secrets* of the Nation. By all this it appears that the Faction has been formidable; but the Shew which they made of their Strength was ſo far from working the Delivery of their Friends, that on the contrary it haſtned their Ruin: For the King being juſtly incenſed at the Barbarities committed by the Lord *James Stewart*, immediately iſſued out his Orders, commanding a Parliament, as my Voucher (*a*) expreſſes it, or as I rather encline to believe, a Court of Juſtice to meet at *Stirling*, in order to the Trial of Duke *Murdoch*, his Father-in-law the Earl of *Lennox*, and his two Sons *Walter* and *Alexander*. He himſelf, in great Majeſty, being ſeated on a Throne with his Royal Robes, Crown and Scepter, witneſſed the Trial, and the Pannels were on the 18th of *May* found guilty of high Treaſon, by a Jury, conſiſting of the following Perſons, *viz.* *Walter Stewart* Earl of *Athole*, *Archbald Douglas* Earl of *Douglas*, *Alexander Stewart* Earl of *Marr*, *William Douglas* Earl of *Angus*, *William Sinclair* Earl of *Orkney*, *Alexander* of the *Iſles* Earl of *Roſs*, *George Dunbar* Earl of *March*, *James Douglas* of *Abercorn*, *Robert Stewart* of *Lorn*, *John Montgomery* of *Montgomery*, *Gilbert Hay* of *Errol* Conſtable, *Thomas Somervel* of *Somervel*, *James Douglas* of *Dalkeith*, *Herbert Harris* of *Terregles*, *Robert Cuningham* of *Kilmawrs*, *Alexander Livingſton* of *Kallendar*, *Thomas Hay* of *Lochinwaret* or *Yeſter*, *William Borthwick* of *Borthwick*, *Patrick Ogilvy* of *Ouchterhouſe* Sheriff of *Angus*, *John Forreſter* of *Corſtorphin*, and *Walter Ogilvy* of *Lintrathin*. The ſame Day on which their fatal Sentence was pronounced the two young Lords, *Walter* and *Alexander*, were carried to the Hill which ariſeth over againſt the Caſtle of *Stirling*, and had their Heads cut off. *Walter* the eldeſt was, ſays my Author (*b*), of a very large Stature, a comely Aſpect, great Eloquence, and for theſe and his other Parts univerſally beloved: A Character very different from that which After-writers, particularly *Boethius* and *Buchanan*, have affixed to his Memory; which makes their Story about the Hawk, and his other Inſolencies, to me ſeem very doubtful. Neither does it appear, as I have formerly obſerved, that the Father Duke *Murdoch* was ſo mean a Man as they make him. However, both he and the Earl of *Lennox* were alſo beheaded the next Day, for what Crime, as no Author relates, ſo I cannot preciſely determine. But that their Trial was fair and legal is certain, and that the Sentence was not unjuſt, we cannot doubt, ſince the Jury conſiſted of ſo many Perſons of Honour; ſome of whom, as the Earl of *Athole*, were near Kinſmen

The Duke of *Albany* and others ſentenced,

And put to Death,

(*a*) Extract. e Chr. Scot. (*b*) Ibid.

to the Duke; others, as the Earl of *March*, owed no leſs than the Reſtitution of their Eſtates and Honours to himſelf or his Father; others, as the Sheriff of *Angus* (*a*), were in Confederacy with his Brother the Earl of *Buchan*, and nearly allied to both; and others, in fine, as the Earls of *Douglas* and Laird of *Leſter*, having been lately committed to Priſon, muſt needs have been but a few Days before reſtored to their Liberty. Beſides, it is not to be ſuppoſed that the King, an excellent Prince, and ſo called by all Authors both domeſtick and foreign, would have purſued his own very near Relations to Death, without a juſt and neceſſary Cauſe. Some think that he did it out of Revenge, and to be rid of a Family that had murdered his eldeſt Brother the Duke of *Rotheſay*, kept himſelf ſo many Years in Confinement, alienated his Lands, and by all theſe Means grown up to ſo much Power and Wealth, that it was become a Terror rather than a Support to the Crown. Indeed, if Duke *Robert* did really murder the Duke of *Rotheſay*, or deſignedly kept the now King in Confinement, it is no Wonder that the Juſtice of God (who viſits the Iniquities of the Father upon the third and fourth Generation,) did purſue and extinguiſh his Poſterity. But I have given Reaſons why to me it ſeems doubtful, whether Duke *Robert* was guilty of theſe Crimes or no: And tho he was, yet the King could not in Juſtice puniſh him ſo ſeverely in the Perſon of his Son, who could have no Hand in the firſt Crime, and was ſo far from being guilty of the ſecond, that, as I have ſhewed, he came no ſooner to be Governour, but he endeavoured the King's Freedom, and in a very ſhort time effected it; tho perhaps he was more acted in that by the Inclination of the People, than his own. And if this was the Caſe, as probably it might have been, we may eaſily gueſs that the King would reſent it. The Lands which the Governour and his Father had alienated from the Crown, gave him a fair Opportunity, which when they ſaw him reſolved to improve, both for the Eaſe of the Nation in general, and the Support of his own Dignity, they took the Alarm, entred into Aſſociations formed Leagues, ſpread abroad falſe and malicious Reports tending to beget Diſcord between the King and his People, and gave Protection to ſome, who by oppoſing his Officers in the Exerciſe of their Duty, had incurred the Penalties of open Rebellion. Theſe, if I am not miſtaken, were the Crimes for which Duke *Murdoch*, his Father-in-law, and Children ſuffered. I think ſo, becauſe we all know that ill Manners generally beget good Laws; and I find, that after the Duke and they of his Party were arreſted, the Parliament thought fit to renew (*b*) the old Statutes made by King *David* the *Saint* (*c*), and King *Robert Bruce* (*d*), againſt *Leagues or Aſſociations, Abettors of Rebels*, and *Leaſing-makers*. After the Execution

(*a*) Chart. penes Dav. Comit. de Buchan. (*b*) Black Acts fol. 6, 7. cap. 33, 40, 47. (*c*) Vid. Regiam Majeſt. (*d*) Vid. Statut. Rob. I.

cution of the Duke, *John Montgomery* and *Humphry Cuningham* were ſent by the King with ſufficient Forces to reduce the Caſtle of *Inchmerin* in *Lochlomond*, which ſtill held out for his Son *James*, but was now conſtrained to ſubmit. And ſo the whole Eſtate that had belonged to that opulent Family returned to the Crown; particularly the Earldoms of *Fife*, *Menteith* and *Lennox*: But the King had the Bounty, to leave a conſiderable part of this laſt in the Poſſeſſion of *Iſabella* the diſconſolate Dutcheſs of *Albany*, who, had not her Father the Earl of *Lennox* been forfeited, was the rightful Heir of the whole. She lived long after, and that ſhe was not in want while ſhe lived, appears from a Charter dated at *Inchmerin* the 18th Day of *May* 1451, by which ſhe gave a Grant of the Lands of *Balagan*, to the Convent of the *Gray Fryars* in *Glaſgow*, for the Salvation, as ſhe expreſſes her ſelf, of her own Soul, and thoſe of the ſometime Lord *Murdoch* Duke of *Albany* of venerable Memory, her moſt beloved Husband; of her Father *Duncan* ſometime Earl of *Lennox*; and of her Sons *Walter*, *James* and *Alexander*. That Lady had, it ſeems, a very great and maſculine Spirit; for it is reported by Tradition, ſays *Buchanan*, that the King ſent to her the Heads of her Father, Husband and two Sons, to try whether the Surprize and Grief of her Heart would not force from her Mouth ſome of the Secrets of the Family; and that, tho ſhe was very much diſturbed at the ſudden Spectacle, yet ſhe gave no hard nor intemperate Language, but modeſtly anſwered, *That if the Crimes objected were true, the King had done juſtly and according to Law.* That Prince being now rid of the Heads of the Faction, and unwilling to let out more Blood than ſeemed neceſſary to prevent the Increaſe of a Diſeaſe which he thought curable by gentler Remedies, he ſet the reſt of the Priſoners at Liberty, receiving them into his wonted Favour, upon promiſe of their loyal Behaviour, and dutiful Obedience in time to come. The gentle Remedies he choſe to make uſe of, conſiſted in the Knowledge of Arts and Sciences, Religion and Law. The promoting of Religion and Learning was his principal Care. He therefore diſpatched a ſolemn Embaſſy this Year to *Rome* (*a*): The Perſons employed were the Biſhops of *Aberdeen* and *Dumblain*, the Abbots of *Melroſs* and *Balmerino*, the Prior of St. *Andrews*, Sir *William Borthwick* younger, Sir *William Hay*, Mr. *Thomas Myreton*, Mr. *Edward Lawder* and Mr. *John Steins*. What their Inſtructions were I know not, but it is probable that they had Orders to obtain the Pope's Ratification of the beginning Univerſity of St. *Andrews*, and his Concurrence towards reforming the Clergy, introducing the Chartreux, a new and moſt ſevere Order of Religious Men, and adorning the Service of the Church of *Scotland*: For, according to all Authors (*b*), the Univerſity of St. *Andrews*, which had its Beginning in the Year 1411, when he was abſent, had its Increaſe

Iſabella Dutcheſs of *Albany* her Piety and Courage.

The Church and State reformed.

Embaſſy ſent to *Rome*.

Beginning of the Univerſity of St. *Andrews*.

(*a*) Fœd. Angl. Tom. XI. p. 344. (*b*) Boet. fol. 342. Hawthornden, Leſly, &c. in vit. Reg.

and Perfection from his bountiful Preſence. He invited Men famous in all Sciences thither, gave them good Salaries and large Privileges, and graced their Leſſons with his Royal Countenance, being, when Affairs of greater Importance would allow him, Umpire to their harmleſs Conflicts. Theſe, he thought the beſt Means to ſweeten and tame the rude unpoliſhed Nature of his Subjects, who having for ſo many Years, I may ſay, Ages bypaſt, been engaged in one continued Series of War, were become impatient of Peace, and by conſequence inclinable to Seditions, Fewds, Tumults and Slaughters. It was with the ſame View that he advanced Men learned and of good Life, to eminent Places in the Church; and tho he is ſaid to have called King *David* I. for his too great Beneficence in that reſpect, *a ſore Saint to the Crown*, yet he imitated that excellent Prince ſo far, as to found the Convent of the Chartreux in *Perth* with great Coſt and Magnificence. His uncommon Skill in Muſick and Poetry made him in Love with Quiriſters; and he was the firſt who erected Organs in his own Chapels, and in the Cathedral Churches of the Kingdom, being perſwaded, that Pomp and Majeſty are ſo far from being inconſiſtent with ſincere unfeigned Devotion, that, on the contrary, they contribute to raiſe the Minds of the People from the grovelling Pleaſures of Earth to the Manſions of Heaven, where *Doxologies* and *Alleluiahs* are certainly ſung by Legions of Angels, and Myriads of Saints. They who differ from him in Opinion, with reſpect to theſe Matters, will not, it is hoped, miſconſtrue his Intention; and ſince he meant well, we muſt in Juſtice conclude, that he did not ill.

The Convent of the Chartreux in *Perth* founded.

Organs introduced.

As Religion and Manners had been uncultivated, ſo Arts and Handycrafts were for the ſame Reaſons become unfaſhionable, and many unreaſonable Cuſtoms were conſidered by the Vulgar as Laws; from whence proceeded Idleneſs, Poverty, Barbarity, Theft, Depredations and Slaughters. To remedy theſe Evils, he appointed a Parliament to meet at *Perth* on the 11th of *March* 1426 (*a*), in which many excellent Statutes were made, towards diſcouraging of all manner of Vice, undutiful Practices and noxious Cuſtoms, ſuch as the Nonobſervance of former Laws, the Exportation of Money, the Corruption of, and Irregularities which had crept into the Courts of Juſtice, quarrelling and fighting, want of Hoſpitality and Conveniency for Paſſengers by Sea or Land, neglect of Husbandry and Agriculture, but more eſpecially of Trade and Manufactures; for which Reaſon the Weights and Meaſures uſed in Commerce were made uniform, and the very Wages or Fees of Workmen, ſuch as Maſons, Wrights, &c. regulated. On the other hand, the Privileges of the Church were preſerved, the Exerciſe of Arms recommended, Induſtry promoted, and the Probity, eſpecially of Judges and Lawyers, appointed to be enquired into and tried. He called another Parliament, which ſat down on the

A.D. 1426. Fifth Parliament of *James* I.

Sixth Parliament.

(*a*) See the black Acts, fol. 8, &c.

the firſt of *July*, for much the ſame Purpoſes *(a)*. And to be ſhort, there was nothing ſo minute, or in Appearance ſo trivial, that eſcaped his and his Parliament's Conſideration. Nor did he think it enough to make good Laws, unleſs they were alſo put in Execution: And becauſe his own Subjects had, ſince the Reign of *Alexander* III. been eſtranged from all Arts but that of War, he drew ſuch Artiſans from beyond Seas, as either large Privileges or Money could oblige; inſomuch, ſays the polite Author of his Life *(b)*, that great Numbers of them, forgetting their native Countries, made their perpetual Abode in this; and *what till this Day* Scotland *enjoyeth of them, owe all their Beginning to theſe Times.*

One of the moſt politick Acts of theſe Parliaments was that, by which all the Mannors, Caſtles and Forts, which of old had been in the North, were ordered to be new built or repaired, and their owners, for their Preſervation and the Improvement of their adjacent Lands, and the civilizing of the more barbarous Inhabitants of that Country, commanded to reſide in them, either by themſelves or their Friends. The Caſtle of *Inverneſs* was among others repaired this Year *(c)*, ſo that the King could now without Danger A. D. 1427. go thither in Perſon; which he did accordingly the Year following 1427, with Deſign to bring thoſe mountanous Parts under Subjection to the Law, which for a long time before they deſpiſed, or had been ignorant of. At his firſt Arrival, he thought himſelf tranſported to ſome Territory of the *Scythians*, being ſurprized with Amazement and Horror at the Diſorders which he underſtood to be daily committed there by the Connivance, if not Command, of the Chiftains and Heads of Clans in the Neighbourhood. Some of them had a Thouſand, others two Thouſand Men, entirely devoted to their Service; and the Services required from them were not ſubſervient, but on the contrary quite oppoſite to Juſtice and Right; inſomuch that Robberies, Devaſtations and Slaughters, were become honourable among them; and the Ruin or Death of a ſuppoſed Enemy, an Occaſion of Triumph, and a Proof of Merit. *The* prudent Monarch ſeemed at firſt to give ſmall Credit to the Informations given him concerning theſe Malefactors; on the contrary he admitted them, with great Complaiſance, into his Preſence, and by this means decoyed great Numbers to Court. At length laying hold on the favourable Opportunity, he cauſed no leſs than 40 to be at one time arreſted within the Incloſure of the Caſtle Walls: Upon which Occaſion, he is ſaid to have expreſſed theſe extemporary Verſes, or rather Rhymes, in thoſe Days thought elegant, tho by the finer Taſte of this and the preceeding Age, deſervedly nauſeated;

The Highlands civilized.

Auxilium fortem ducamus caute cohortem,
Per Chriſti ſortem, meruerunt hi quia mortem.

(a) See the black Acts, fol. 15, &c. *(b)* Hawthornden. *(c)* Joan. Maj. fol. 131, 132. Buchan. p. 343. Boet. fol. 343. Hawthornden, Leſly, Holinſhed, &c.

That he had Reaſon to think ſo, a little Time diſcovered, for a few Days after ſeverals being found guilty of enormous Crimes, were put to Death; among the reſt *Alexander Mackrore*, or *Mackrary*, *John Mackarthur*, and *James Campbel*. Others were graciouſly pardoned, and upon Promiſe of good Behaviour in time to come, diſmiſſed to their reſpective Habitations. Others, in fine, were detained Priſoners till further Orders. *Alexander* Lord of the *Iſles* and Earl of *Roſs*, the Son of that *Donald* the Iſlander, (who being unjuſtly deprived of the Earldom of *Roſs* by the Governour Duke *Robert*, firſt entred into a League with the King of *England*, and afterwards, namely in 1411, fought the Battle of *Harlaw*,) was the moſt eminent of theſe laſt. His Father had ſome Reaſon, but he had none, to complain of the Government; for Juſtice had been done him with reſpect to the Earldom of *Roſs*, and even as Lord of the *Iſles* he had ſubmitted himſelf to the Crown of *Scotland*; a Duty always demanded from, but, for ought I can ſee, never willingly paid by his Anceſtors: But ſince for ſo many Years bypaſt, I can diſcover no Correſpondence kept between him and the Enemies of the Country, and ſince I find that he was one of thoſe who were upon the Jury of Duke *Murdoch*, I muſt conclude, that he had laid aſide his Pretenſions to Independency. But his Power was immenſe, indeed too much ſo for a Subject, and too potent Subjects are ſeldom good ones. He was therefore by the King's Orders carried to *Perth*, and upon Examination convicted of many Acts of Oppreſſion and Cruelty; yet ſuch was the Sovereign's Clemency, that he generouſly pardoned him, and diſmiſſed him, highly obliged, to his own Country, where he might have lived, nay in ſome Meaſure reigned, ſecure and content, had not bad Counſel made him more ſenſible of the pretended Affront, than of the real Favour which he had received. But of this afterwards.

Alexander of the *Iſles* Earl of *Roſs* arreſted and pardoned.

Before the King thought fit to attempt any thing againſt ſo fierce a People as the Highlanders were, and ſo great a Man as the Earl of *Roſs*, whoſe Anceſtors, he very well knew, had ſo often been in League with the Enemies of the Crown, he not only cauſed Caſtles and Fortreſſes to be erected in the North to awe them in caſe of an Inſurrection, but alſo ſent an Ambaſſador to *England* to diſcover the Views of that Court with relation to himſelf and his Subjects. The Perſon he pitched upon for that purpoſe (*a*) was *Andrew* Biſhop of *Murray*, Commendator of *Pittenweems* in *Scotland*, and of *Cottingham* in *England*. That Prelate had Orders to propoſe a perſonal Interview between the two Kings, and to require the King of *England* to oblige himſelf by Oath to the punctual Obſervation of the Truce then in being; as alſo to deſire, that as he (the King of *Scotland*) had done the laſt Year (*b*), ſo now the King of *England* would take care that the Breaches of it might be repaired: And, which is more ſurpriſing, he likewiſe ordered him to urge, that the

An Embaſſy ſent to *England*.

(*a*) Fœd. Angl. Tom. XI. p. 376, 377. (*b*) Ib. p. 347.

the *perpetual Peace* agreed to by himſelf and the late King *Henry* V. might be ratified, and religiouſly obſerved by the preſent King *Henry* VI. By this it appears, that a final Peace had been deſigned, nay agreed to, by King *James*, when he was in *England*, and King *Henry* V. upon what Terms God knows; but it is certain, that they muſt needs have been both honourable and advantageous to the King and Kingdom of *Scotland*, elſe King *James*, now he was ſeated upon his own Throne with Honour and Safety, would not have been the firſt to move that it might be ratified. Why another Treaty was neceſſary, I mean, why King *James* was not relieved from Captivity by the Son and his Governours, upon the ſame Terms which the Father had thought reaſonable, I cannot gueſs. Perhaps the more flouriſhing Condition of their Affairs in *France* made them inſiſt upon higher Demands; and it may be that King *James* was not in earneſt, but that he only meant to find the Pulſe of the Council of *England*, to make them eaſy to his Hoſtages, and to divert their Thoughts from giving Aſſiſtance or Countenance to the Earl of *Roſs*, or ſuch others as he had a deſign to chaſtiſe. However, his Meſſage was not unacceptable, the ſame Motives that induced the Father to make Peace, now prevailing with the Son to ſtand to it; for there are two Letters extant, both written with great Civility by this laſt, to *the moſt high and potent Prince* James *by the Grace of God King of* Scotland; the one in *November* (*a*), and the other (*b*) in *December*. By this it appears, that King *Henry* was heartily willing to comply with all Requeſts or propoſals which the *Scots* Ambaſſador had made, but grudged that the Money, due to him by the Treaties of *York* and *Durham*, was not paid: By that, he entreated that ſome *Engliſhmen*, taken by a *Spaniſh* Ship upon the Coaſt of *Ireland*, who from thence had been conveyed to *Scotland*, and were detained as lawful Priſoners in the Caſtle of *Bothwel*, by *William Carneys* (perhaps *Carnegy*) Eſquire, might be ſet at Liberty without Ranſom. I doubt not but theſe Priſoners were ſet at Liberty, and I am ſure that 500 Merks of the Money (*c*) were paid before the End of the enſuing Year 1428, (and this, tho but the ſecond, was the laſt Payment which I find upon Record to have been made.) But King *James* was ſo far from inſiſting upon the Propoſals which he himſelf had made with reſpect to a final Peace with *England*, that on the contrary, tho the Truce was not yet ended, he made no Scruple to renew the ancient League he was previouſly engaged in with *France*. A.D. 1428.

All this time the *French* Affairs had gone from worſe to worſe; King *Charles* was by way of Deriſion called the King of *Bourges*; the *Scots* Forces in his Service were, by ſo many bloody Conflicts, (for they were never abſent where Death or Danger was to be encountred,) extremely diminiſhed, and Men fit to fill their Places could

(*a*) Fœd. Angl. Tom. XI. p. 382. (*b*) Ib. p. 384. (*c*) Ib. p. 409.

be found nowhere, but in that Country from whence they had come. All the World was perſwaded of this, but none more than the King of *France* himſelf; he therefore reſolved to have a ſtrong Reinforcement of Soldiers from *Scotland*, coſt what they would.

French Ambaſſadors arrive at Court. With this View he ſent *Reginald* Archbiſhop of *Rheims*, a Duke and firſt Peer of *France*, and *John Stewart*, called in the Record (*a*) his Couſin, and Count or Earl de *Dreux* and Lord of *Darnly*, with the Character of Ambaſſadors extraordinary to King *James*. The Court was then at *Perth*, where they were received as became their Merit, Quality and Meſſage, with all imaginable Honour; and it was not long before all Matters concerning the two Kingdoms were adjuſted, to the univerſal Satisfaction of all Parties.

Marriage of the King's Daughter with the *Dauphin* of *France*. For on the 19th of *July* (*b*) a Contract of Marriage was drawn and agreed to between *Lewis* the *Dauphin*, afterwards King of *France*, and the Princeſs *Margaret* the eldeſt Daughter of *Scotland*; by which King *James*, *at the earneſt Requeſt*, as he expreſſes himſelf, of the Ambaſſadors above-mentioned, obliged himſelf to ſend his ſaid Daughter with a Retinue of 6000 good Men to *France*, on board the firſt *French* Fleet that ſhould come to *Scotland* in order to her Tranſportation, any time after the Feaſt of *Candlemaſs* next; ſo that we ſee, the Princeſs's Retinue of 6000 Men was all her Portion. And this leads me naturally to make a very juſt, but melancholy Reflection, which is, that whereas the *Scottiſh* Valour of old, not only raiſed the Reputation of the Kingdom in general, but alſo enriched it with Money, and was thought a ſufficient Equivalent for the great Wealth, lofty Preferments, high Titles and glorious Alliances attained to by our Anceſtors in foreign Countries; that ſame Valour has been ſince that time for the moſt part *inglorioufly* and always unprofitably miſpent, either in civil Wars among our ſelves, or towards the Support of others, in whoſe Overthrows we have had a large Share, but none, either in the Glory or Advantage of their Succeſſes.

Six Thouſand Men (as I have ſaid, and I am ſure the Nation could well ſpare them at that time) was all the Portion demanded by the King of *France* with the Daughter of our King *James*; and theſe Men, to ſay nothing of their own private Intereſt, which was thereby moſt eminently promoted, could have nowhere been ſo uſefully employed for the wellfare of their King and Country as in the Defence of *France*, which if it had been entirely ſubdued, what had afterwards been the Fate of *Scotland* is obvious to the meaneſt Capacity. Nevertheleſs King *Charles* obliged himſelf on his Part (*c*),

The Articles of the Contract. "I. That if Princeſs *Margaret* ſhould by his Deceaſe, and in Right of her Husband the *Dauphin*, come to be "Queen of *France*, her Dowry ſhould be as conſiderable as any "Queen

(*a*) See a Copy of it penes Georg. Comit. de Winton, and the Original in the publick Regiſter. (*b*) See a Double of the Contract penes Georg. Comit. de Winton, and Traitez d'entre les Roys de Fr. & d'Angl. p. 262. (*c*) Ibid.

" Queen of *France* had ever enjoyed. II. That if ſhe ſhould ne-
" ver come to be Queen, in that Caſe ſhe ſhould have a Dowry of
" 1500000 Livres. III. That if the *Dauphin* ſhould chance to die
" before the Conſummation of the intended Marriage, then a ſe-
" cond Son of *France*, or the next Heir to the Crown ſhould mar-
" ry the ſaid Princeſs *Margaret*, if alive at the time; if not, her
" ſecond Siſter; who alſo failing by Death, the third; and ſo on;
" provided that both Parties were within 7 Years of Age to one
" another. IV. That in caſe of the *Dauphin*'s Death, as above,
" the King of *France* ſhould give to Princeſs *Margaret* for her
" Charges and Loſs, the Sum of 40000 Crowns of Gold. *Laſtly*,
" That if either of the Kings of *Scotland* or *France* ſhould fail in
" the Performance of their reſpective Obligations, the Party-
" breaker ſhould pay to the Party-obſerver, or willing to obſerve,
" the Sum of 100000 Crowns. "

Old League with *France* renewed.

On the 27th of the ſame Month, not only King *James* himſelf, but alſo the Queen his Wife, the Princes of his Blood, and all the Prelates and great Men of the Kingdom, took a ſolemn Oath in preſence of the *French* Ambaſſadors, obliging themſelves, and ſo far as they could, their Poſterity, to obſerve all the *Treaties*, *Alliances*, *Confederacies* and *Unions*, agreed to by the preceeding Kings of *France* and *Scotland*, namely *Robert* I. and *David* II. Which done, the King appointed *Henry* Biſhop of *Aberdeen*, and Sir *Patrick Ogilvy* Sheriff of *Angus*, to be his Ambaſſadors at the Court of *France*, impowering them to require King *Charles* to take the ſame Oath, and to witneſs his taking of it. Accordingly they went off with the Arch-Biſhop of *Rheims* and Lord *Darnly*, and being favoured by a proſperous Wind, got to the Caſtle of *Chinon*, where *Charles* kept his Court, before the 30th of *October*, on which Day that Monarch both ratified the Contract of Marriage, and took the Oath which was required of him. In *November* following he made a Grant to King *James* and his Heirs-male of the Earldom or County of *Xaintonge*, and of the Lordſhip of *Rochfort* ſituated upon the River of *Charente*, creating him at the ſame time a Peer of *France*, ſuch as the Kings of *England* had formerly been; but with this Difference, that whereas the Kings of *England* were obliged to go over to *France* and to pay their Homage in Perſon, King *James* and his Heirs were allowed to appoint their neareſt Kinſmen to do Homage in their Names. He alſo reſerved to himſelf a Power of reannexing thoſe Territories to his own Crown, if he ſhould think fit, after having driven the *Engliſh* quite out of his Kingdom; but in that Caſe, he obliged himſelf to give the Dukedom of *Berry* or County d' *Evreux* to the King of *Scotland*, upon the ſame Conditions. And what farther Returns of Gratitude could have been expected for ſo inconſiderable, tho indeed a moſt uſeful and neceſſary Supply? We have often ſent (and for many

Scots Ambaſſadors ſent to *France*.

The King made a Peer of *France*, and upon what Terms.

(a) See his Ratificat. in the Regiſt.

Years ſucceſſively recruited) 6000 Men to the Service of our Neighbours the *Dutch*; Were we ever ſo nobly repaid? I muſt alſo obſerve by the Way, that theſe Forces, as much as they were wanted and valued, did not go to *France* till long after; ſo religious was King *James* in the Obſervation of the Truce which he had made with *England*. But, it ſeems, that King *Henry* and his Council, from whoſe Knowledge theſe Negotiations could not be concealed, took the Alarm: For about the ſame time an Interview was propoſed between the King of *Scotland* and the Cardinal of St. *Euſebius*; they were to meet ſomewhere on the Frontiers of *England*, whither the King was to go (*a*) with a Guard or Retinue of 1000 Horſe. The Cardinal obtained alſo a Safe-conduct from
A.D. 1429. King *Henry* (*b*) for the ſame Purpoſe in *February* 1429. Whether they did meet or no, I cannot preciſely tell; but, as it is moſt probable, that the King choſe rather to give himſelf the trouble of going in Perſon to *England*, than to ſuffer any Perſon inveſted with a legantine Power, contrary to the Maxims of his (*c*) beſt and wiſeſt Predeceſſors, to enter *Scotland*; ſo it is certain (*d*), that the Cardinal's Buſineſs was to engage the King by all Means poſſible to a ſtrict Obſervation of the Truce. The grand Argument he made uſe of was, that otherwiſe the King of *England* would not be able to join in the Croiſade, which was deſigned towards ſuppreſſing the Hereticks of *Bohemia*. Had he ſaid the Rebels, indeed I think that all the Kings in Chriſtendom would have had Reaſon to unite their Forces againſt them; for Rebellion is, like the Peſt, contagious; when it has laid one State deſolate, it flies to another; and if not timeouſly prevented would over-run the World, turning all things into that anarchical *Chaos*, from whence the heathenish Poets feign them to have been reſcued. It is therefore the Intereſt of every Sovereign in particular, and of all together, to cruſh Rebellion where ever it appears; a Maxim, which if it were univerſally obſerved, would in a great Meaſure ſecure the Tranquillity of all Nations, and guard not only the Thrones of Monarchs, but alſo the Senate-Houſes of Republicks, from thoſe horrid Concuſſions and tremendous Earthquakes, which have ſhaken all, and ſwallowed up ſome of the moſt flouriſhing Governments in the World. But that Nations ſhould join in Croiſadoes or Confederacies, to ſuppreſs Hereticks or even Infidels, preciſely upon the Account of Hereſy and Infidelity, if they are not alſo Subverters of the Conſtitution of their Country, nor diſobedient to their reſpective Magiſtrates, nor Incroachers upon the Rights previouſly acquired by their neighbouring Nations or fellow Subjects, is, I humbly conceive, what the Saviour of Mankind, whoſe *Kingdom is not of this World*, ſtrictly forbids, and conſequently what no Sect of Chriſtians will dare to approve of; tho I muſt own,

The Pope's Legate preſſes the Obſervation of the Truce with *England*.

(*a*) Fœd. Angl. Tom. XI. p. 408. (*b*) Ib. p. 410. (*c*) See the firſt Vol. p. 421. (*d*) Fœd. Angl. Tom. XI. p. 424.

own, that all of them have in their Turns endeavoured to convert Men into their different Principles of Religion, moſt irreligiouſly, I mean by Dint of Sword and Force of Arms, or which is much the ſame, by pecuniary Mulcts, Impriſonment, Baniſhment, Executions, *&c.* But the Miſchief is, that they who are branded with Hereſy by the eſtabliſhed Church, from which they think themſelves obliged to ſeparate, are alſo for the moſt part guilty of Diſobedience to the Civil Magiſtrate, and when, by being connived at and tolerated, they become numerous and powerful, never fail to aim at ſettling themſelves upon the Ruin of their Predeceſſors, invading their Livings, decrying their Perſons, and mobbing the third Part perhaps of a Nation out of the Nation in which they were born and bred, and ſhould be protected in thoſe Rights and Privileges the Laws had previouſly intitled them to. Thus, the worſt of Ills often proceeds from the greateſt of Goods: Delicacy of Conſcience, (as it is called, and often is in the Beginning of ſuch Breaches,) begets an Abhorrence of things, ſometimes juſtly, ſometimes unjuſtly diſliked: This Abhorrence of things is followed by an Averſion to Perſons; both hurry on to Separation, Separation to Faction, Faction to Reſiſtance, and Reſiſtance to Rapine, Murder, War, and (if we may, as certainly we muſt, believe the Goſpel) to Damnation. It was not ſo that the Goſpel came firſt to be propagated; but this phrenetick Zeal of after-Chriſtians made penal Laws and Puniſhments (ſuch as thoſe I have mentioned but juſt now,) ſeem neceſſary to guard Kingdoms and Common-wealths againſt it: And if the *Bohemians* were Rebels, as I am ſure the Emperor thought them, the forming the Croiſade towards their Suppreſſion might have been lawful. But

King *James* had other Reaſons for his complying with the Cardinal's Requeſt; he was bound by Treaty ſo to do; beſides, his Allies the *French* did not ſtand ſo much in need of a Diverſion in their favour as formerly (*a*). The Earl of *Salisbury*, a great General, and ſince the Battles of *Crevant* and *Vernoile* always victorious, had, towards the End of the laſt Year, laid Siege to *Orleans*, but loſt his Life in the great Attempt; and henceforth, ſays Mr. *Echard*, both mortal and immortal Powers began to look favourably on the declining State of *France*: Yet after the Fall of that great Man, the *Engliſh* gained ſuch a Victory, as, without the Interpoſition of a Miracle, would have made them Maſters of the Town; for in the Beginning of *Lent* 1429, when the *French* heard that a great Convoy was coming from *Paris* with Herrings and other Proviſions to the *Engliſh* Camp, they reſolved to intercept it; and Sir *John Falſtolfe*, who commanded the Convoy, hearing of their Approach, wiſely intrenched himſelf and the Men under his Conduct, ſo that he could not be attacked without an evident

Orleans beſieged by the *Engliſh*.

Who gain a great Victory.

(*a*) Mezeray Tom. II. p. 613. Orleans Liv. VI. p. 214, 215, &c. Hiſtoire de Charles VI. p. 565, 566, &c. Echard p. 480, 481, &c.

Diſadvantage on the ſide of the Aggreſſors: Yet ſince the Reſolution was taken, the Lord *Darnly*, who after his Return from *Scotland*, had gone to his Poſt in the Army, led on his Men to the Enemy's Entrenchments, and would have forced them, had not the *French* General *Lewis* de *Bourbon* Earl of *Clermont*, thought fit to ſacrifice him and (*a*) his Countrymen to the Jealouſy with which he meanly ſuffered himſelf to be poſſeſt. And this ſhews what a vaſt Reputation the *Scots* had acquired; but to their coſt, ſince one of the Houſe of *Bourbon*, a Prince of the Blood Royal of *France*, and of that very Blood which now runs in the Veins of thoſe who ſit on the Thrones both of *France* and *Spain*, was jealous of them, and therefore laid hold on the Opportunity of ſeeing them cut off. They alighted from their Horſes, and with their Swords in their Hands bravely aſſaulted the ſuperior Enemy, tho well poſted and ſtrongly entrenched; but not being ſeconded, were repulſed with the Loſs of between 4 and 500 Men: And a great Loſs that was, ſince both the Lord *Darnly* and one of his Sons were of the Number. The City of *Orleans* thought ſo, and ſoon after offered to ſurrender, but upon ſuch Terms as were not accepted; and King *Charles* being thereby reduced, as he thought, to the laſt Extremity, was going to remove his Court to the outmoſt Bounds of his Kingdom, when *another* Eſther, as the *French* are pleaſed to call her, *was ſent by God for the Delivery of his People*. I ſpeak of the famous Maid of *Orleans*, *Jean d' Arck*, born a Shepherdeſs in a Cottage near *Vaucouleur*, but become, I know not by what vertue, an Heroine in Courage and Conduct ſuperior to any of her Sex, and not inferior to any of ours. She was but 18 Years of Age when ſhe came to Court, and preſenting her ſelf to King *Charles*, "Bade him not to faint, for that God had ſent her "to deliver the Realm of *France* from the *Engliſh* Yoke. She was "not immediately credited, *continues Mr.* Echard, but when the "wiſeſt of Eccleſiaſticks and military Men had put many Que-"ſtions to her, and ſhe ſtill continued to her firſt Words, uttering "nothing but what was modeſt, chaſt and holy, Honour and "Belief were at length given to her Sayings. Upon which *Jean* "armed her ſelf like a Man, and required to have that Sword "which hung in St. *Katharine*'s Church of *Fierbois* in *Touraine*; "which Demand encreaſed their Admiration of her, ſince ſuch a "Sword was found among the old Donaries, or votive Tokens of "that Church." Thus warlikely accoutred ſhe ſet out, and after having forced her Paſſage through the *Engliſh* Camp into *Orleans*, not only relieved that place, but turned the Scales againſt the *Engliſh*; inſomuch that after this, tho they ceaſed not to be brave, yet they were almoſt on all Occaſions defeated, and within the ſhort ſpace of 22 Years, loſt not only the Conqueſts made by them in little leſs than 100, but alſo the Inheritances which the

The Lord *Darnly* killed.

The Maid of *Orleans* appears.

Engliſh Affairs decline in *France*.

(*a*) Mezeray loc. cit.

had enjoyed for above three Centuries bypaſt. It is not my Province to follow them, as the *French* and my Countrymen did, from Town to Town, and Province to Province; I take much more Pleaſure in relating the Glories, than the Diſgraces of *England*; but my Subject obliges me to tell what is certainly true, as I have already evinced, and will afterwards, that the *Scots* were next to the Maid of *Orleans*, or rather to Heaven, (for ſhe was ſoon after betrayed by a *Burgundian* into the Hands of the *Engliſh*, who put her to Death) the grand Inſtruments of that wonderful Revolution, which occaſioned this King *Charles* VII. to augment, I believe about this time, the Number and Privileges of his *Scots* Guards (*a*), one *Robert Patillock* being their Captain, an Officer ſo very much famed for the many Victories which he gained principally in *Guienne*, that he was commonly called, *The little King of* Gaſcony.

The *Scots* Guards in *France* rewarded.

This unexpected Change of Affairs beyond Seas, was, as I have inſinuated before, one of the Reaſons why King *James* was the more inclinable to keep the Truce with *England*; for the Siege of *Orleans* was raiſed on the 8th of *May*, and two Months after an equal Number of *Scots* and *Engliſh* Commiſſioners, met firſt at *Handenſtank*, and afterwards at *Clagmabauſtan*, in order to redreſs all Injuries done by Sea or Land towards the Eaſt and Weſt Marches. The *Scots* Commiſſioners were (*b*) *John* Biſhop of *Glaſgow* and Chancellor of *Scotland*, *Alexander* Biſhop of *Galloway*, Sir *John Forreſter* Baron of *Libberton*, Mr. *William Fowlis* Keeper of the Privy Seal, Sir *Patrick Dunbar*, Sir *Thomas Kirkpatrick*, Sir *John Cockburn*, and Mr. *John Schevez*. They and the Biſhop of *Carliſle*, and Earls of *Northumberland*, *Saliſbury*, *&c.* Commiſſioners for *England*, agreed that all the Ships, Goods, *&c.* which had been taken by either Nation during the Truce, ſhould be redelivered by a certain time to their rightful Owners; and that all other Wrongs ſhould be redreſſed at the ſight of four *Engliſh* and as many *Scots* Arbitrators. The *Scots* were Sir *Thomas Kirkpatrick*, Sir *Patrick Dunbar*, Mr. *Thomas Rule* and *David Hume*. It was ſo much the more neceſſary to ſettle the Peace of the South and Borders at this time, becauſe the North and Highlands were all in a Flame (*c*). What it was that kindled it, no Author relates; only they ſay in general (*d*), That the Earl of *Roſs* being of a reſtleſs and proud Spirit, was no ſooner ſet at Liberty, after his having been confined in the Manner I have already related, but inſtead of acknowledging the King's Clemency, he drew his Iſlanders and Mountaineers together, and openly revolted. That he did ſo is certain, but not ſo ſoon as theſe Writers inſinuate; for he was ſet at Liberty in 1427, and did not, according to *John Major*, who, I have Reaſon to believe, is in the Right, openly reſent the pretended Injury which

Truce with *England* confirmed.

The Earl of *Roſs* revolts.

(*a*) Chamber's Hiſt. des Papes, Empereurs, & Roys de Fr. Angl. & Eſcoſſ. p. 178. (*b*) Fœd. Angl. Tom. XI. p. 429, 430, &c. (*c*) Joan. Maj. fol. 132. (*d*) Buchan. p. 343. Hawthorn. p. 19, 20, &c.

he had received, till this Year 1429, when ſetting himſelf at the Head of more than 10000 Men, he fell down upon the Town of *Inverneſs* and ſet it on fire, and becauſe he had been arreſted in the Caſtle he laid Siege to it. But in vain; the King raiſed an Army, compoſed for the moſt part of North Country Gentlemen, and marched in Perſon againſt him. Upon which ſome of the Clans, the *Catans* and *Camerons*, called vulgarly *Clan Chattan* and *Clan Cameron*, whom the Earl had, it ſeems, compelled to join him, did their Duty, that is, they went over to the King; and he finding himſelf thus deſerted, retired firſt into *Lochaber*, and then to the *Iſles*. The King could not follow him thither at that time for want of ſhipping; for which Reaſon, if I am not miſtaken,
A.D. 1430. an Act of Parliament was made in *March* the next Year 1430 (*a*), by which all the Barons and Lords whoſe Lands were contiguous to the Weſtern Sea, but more eſpecially ſuch as had Inheritances overagainſt the Iſles, were commanded to fit out a certain Number of Galleys, conformably to the Tenor of their Holdings, by the Month of *May* 1431: Beſides, the King ſet a Price upon the Head of the rebellious Earl, who finding that he was ſafe neither within nor without his Iſles, wrote privately to his Friends at Court, entreating them to mediate his Peace. But no Peace could be obtained without an abſolute Submiſſion on the part of the Earl. He therefore came privately to *Edinburgh*, where, after having watched a fit Opportunity, when the King and Queen were in the Church of the *Holy-Rood* at Divine Service, he proſtrated himſelf on his Knees, and holding the Point of his Sword in his own Hand, preſented the Hilt of it to the King, intimating thereby
Is pardoned. that he put his Life in his Majeſty's Mercy. The King, at the Requeſt of the Queen and Courtiers, granted him his Life; but to prevent future Temptations confined him to the Caſtle of *Tantallon*, and his Mother the old Counteſs of *Roſs*, a haughty reſenting Woman, who ſet him on to the Perpetration of his Enormities, to the Iſle of St. *Colme*. How long they continued Priſoners is uncertain, but our Authors generally ſay, that the Queen being brought to Bed, on the 16th of *October* 1430, of two Sons,
Birth of K. *James* II. *Alexander*, who died ſoon after, and *James*, afterwards King *James* II. the King, to heighten the Joy of his People, and to diffuſe it as univerſally as could be, was pleaſed to give Liberty to many
Many Priſoners ſet at Liberty. Priſoners, among the reſt to *Archbald* Earl of *Douglas*, Sir *Gilbert Kennedy* his Siſter's Son, and the Earl of *Roſs*. They add, that at this Solemnity 50 young Gentlemen were dubbed Knights, of whom *William Douglas* eldeſt Son and Heir of the Earl of that Name was one; and that the Earl himſelf was made Parent to the Royal Infants at the Font; an Honour done him on purpoſe to convince himſelf and the World, that the King intended a hearty and ſincere Reconciliation. This may be true with reſpect to the Earl

(*a*) Black Acts fol. 21.

Earl of *Douglas* and Sir *Gilbert Kennedy*, tho I wiſh we had been told upon what Account they had incurred the King's Diſpleaſure. But whatever might have been the Occaſion either of their being impriſoned or relieved, I cannot think that the Earl of *Roſs* met with the ſame Favour till long after this time, unleſs we ſhall ſuppoſe him to have broken out into a ſecond Rebellion, which is by no Author alledged: Yet it is certain, that the next Year 1431, there was a very troubleſome Rebellion in the North and Highlands; ſo troubleſome and ſo laſting, that in order to quell it a Parliament met at *Perth* (*a*) on the 15th of *October*, and appointed a Subſidy to be raiſed out of all the Lands of the Realm. The Abbots of *Balmerinoch* and St. *Colm*, Sir *John Scrimgeour*, and *John Fife* a Citizen of *Aberdeen*, were appointed *Auditors* to compt with the inferior Collectors, and to keep the Money which ſhould be raiſed in a Cheſt within the Caſtle of St. *Andrews*, every one of them having a Key of the Cheſt in his Cuſtody, and the Cuſtody of the Caſtle it ſelf being recommended to the Care of the Biſhop and Prior of the Place. It was alſo provided, that in caſe the Peace ſhould be made in the mean time, the Money ſhould be employed for the Uſe of the Publick. This ſhews not only what a dangerous Commotion was raiſed in the North, but alſo at what time it was raiſed. By whom it was ſuppreſſed our Authors tell us, but know not when. For which Reaſon I ſhall once for all, give an Account of the whole, tho I am perſwaded, that the final Suppreſſion of theſe Barbarities was more the Work of the next Year than of this. But I muſt firſt take notice, that the 7 Years Truce concluded with *England* when the King was freed from his Captivity, being now expired, and the Diſorders of the Highlands being at the ſame time come to an intolerable Height, a new Truce was thought abſolutely neceſſary: Wherefore (*b*) the Biſhop of *Glaſgow* Chancellor, Sir *John Forreſter* Chamberlain, Sir *William Fowlis* Keeper of the Privy Seal, and Sir *Walter Ogilvy* Maſter of the Houſhold, met with the Biſhop of *Carliſle*, the Earl of *Northumberland*, *&c.* and on the 1ſt of *May* 1431, agreed to the Prolongation of the Truce till the 1ſt of *May* 1436. The Conſervators of it on the part of *Scotland* were, the Earls of *Athole*, *Angus*, *March*, *Marr* and *Crawfurd*, the Lord Conſtable, *James Douglas* of *Balveny*, *James Douglas* of *Dalkeith*, *Thomas* Lord of *Somervel*, *Walter* Lord of *Dirlton*, *John Forreſter* of *Corſtorphin*, and *Herbert* Lord of *Maxwel*. They for *England* were the Duke of *Gloceſter*, the Earls of *Warwick*, *Northumberland*, *Sarum* and *Weſtmoreland*, the Lord *Willoughby*, Sir *Robert Umphraville*, *&c.*

A.D. 1431. Rebellion in the North.

A Subſidy impoſed by the Parliament.

Truce with *England* prolonged.

The Peace of the South being thus ſecured, the King thought it high time to put an End to the Diſorders which were daily committed in the North (*c*), where the Highlanders, like ſo many

(*a*) Black Acts fol. 22. (*b*) Fœd. Angl. Tom. XI. p. 482, 483, &c. (*c*) Buchan. 344, 345. Joan. Maj. f. 133, 134. Hawthor. p. 20, 21, &c.

Savages, made a cruel War with one another, pillaging, ravaging and deſtroying wherever they came, as if they had been ſubject to no Law nor Authority whatſoever. The *Catans* or *Mackintoſhes* and the *Camerons*, who the Year before abandoned the Earl of *Roſs*, had now quarrelled, I know not for what, among themſelves, and having engaged on *Palmſunday*, a Time deſtined for Devotion and Penance, fought with that Fury, that moſt of the *Catans*, and almoſt the whole Tribe of the *Camerons* were cut to Pieces. *Alan Stewart* Earl of *Caithneſs*, being willing to improve the Ardour of his Men, brought them ſoon after together by the King's Authority, and joining the Earl of *Marr*, the ſame who ſome Years before had routed the Iſlanders at *Harlaw*, marched into *Lochaber*, with a Deſign to defend that Country againſt an Invaſion which was threatned from the Iſles. For *Donald Baloch*, whoſe Power in thoſe Parts was great as his Avarice and Pride, being a near Kinſman to the Earl of *Roſs*, reſented his Impriſonment as an Injury done to the whole Family, and would often make Deſcents on the Continent, with a great Number of Outlaws and Robbers, who omitted no Cruelties Covetouſneſs, Anger or Luſt could deviſe. The two Earls lay at *Innerlochy*, and perhaps deſigned to go over to the Iſles in purſuit of *Donald*; but he prevented them, for being informed by his Spies, that, truſting to their Numbers, they kept no Order nor Guard, he landed his Men in the Night, and unexpectedly ſet upon them, while they were for the moſt part aſleep. The Slaughter which he made among them was conſiderable, the Earl of *Caithneſs* being killed with moſt of thoſe under his Conduct, and the Earl of *Marr* obliged to ſave his Life by Flight. *Donald* was naturally fierce, but this Victory made him much more ſo; he over-ran and waſted all *Lochaber* with Fire and Sword; but at length, upon Advice that the King was marching in Perſon againſt him, he truſſed up his large Bundles of Pillage, ſent them on board his Galleys, and returned into the Weſtern Iſles. The King, who, as I obſerved before, had by one Act of Parliament ordered a Fleet, (at leaſt ſuch an one as was ſufficient for the Purpoſe) to be in a Readineſs on the Weſtern Coaſts, and who but lately had by another, obtained a conſiderable Supply of Money towards ſuppreſſing the *Northern Rebellion*, as it was called, reſolved to purſue him to the utmoſt Receſſes of thoſe Seas; but found it unneceſſary: For the Chiefs of the Clans, and indeed the whole Country came to him, begging Mercy, and promiſing to perform whatever he ſhould deſire. They were as good as their Words, for the King thinking it more reaſonable to ſet theſe Robbers againſt one another, than, without an abſolute Neceſſity, to expoſe his better Subjects to their Fury, kept ſome of them as Hoſtages for the Fidelity of their Kinſmen, and diſmiſſed others, who very ſoon brought back in Chains about 300 notorious Villains. All theſe the King cauſed to be executed and hung

Diſorders of the *Camerons* and *Catans*.

Donald Baloch his Rebellion,

Suppreſſed by the King in Perſon.

A.D. 1432.

hung up upon Gibbets. As for *Donald Baloch*, he was fain to make his Eſcape into *Ireland*, where he lurked for ſome time in the Lands belonging to one *Odo*; but this laſt being required by a Meſſage from the King to deliver him up to Juſtice, firſt ſeized on his Perſon, then cauſed his Head to be cut off, and ſent it to *Scotland*. Others were pardoned by the King's Clemency, among the reſt *Angus Duff* and *Angus Murray*, two Men eminent upon the Account of their many Followers, (for each of them could draw together about 1500 Men) but more for the irreconcilable Feud or Enmity that divided their Families. They were no ſooner at Liberty, but *Duff* returning to the old Trade of plundering, fell down upon the Confines of *Caithneſs* and *Murray*, and drove away a great many Cattle to *Strathnavern* where he reſided: But *Murray* overtook him, and having now Authority to juſtify his Revenge, attempted the Recovery of the Cattle. Upon which a moſt terrible Conflict enſued; for both Parties, (and no inconſiderable Parties they were) fought ſo obſtinately, that on the one ſide no more than Twelve, and on the other but Nine were left alive.

I relate theſe Barbarities with much Reluctancy, the rather becauſe I have a very great Eſteem for the often tried Valour and undaunted Loyalty of our Highland Clans. They preſerved themſelves and us from Conqueſt and Slavery, in the Days both of King *Robert* and King *David Bruce*; and, as they have ever been the laſt who laid down their Arms, as often as the Nation has either been cheated or defeated out of their Liberties, ſo they are always the firſt that take them up in oppoſition to domeſtick Iniquity or foreign Encroachments. But the exorbitant Power of the Earls of *Roſs* and Lords of the *Iſles*, the Independency pretended to by theſe laſt, and the Impunity which they met with during the Abſence of the King, had at this time entirely debauched them from all the Principles of Honour, Humanity or Juſtice.

The King being now free from Diſturbances, and having done Juſtice to all others but himſelf, thought fit to improve theſe Acts which the Parliament had made and renewed to the Advantage of the Crown; the rather, becauſe he found by Experience that the Wealth of the Crown is really the Wealth of the People, who muſt needs be impoveriſhed by Taxes, unleſs the Sovereign be enabled by his own Incomes to compaſs the grand and neceſſary Ends of Government. He therefore calling to mind the long and obſtinate Rebellion of the late Earl of *March*, againſt the King his Father (*a*), detained the preſent Earl by himſelf, while he gave Orders to the Earl of *Angus*, the Chancellor *William Crichton*, and *Adam Hepburn* of *Hales*, to make themſelves Maſters of the Caſtle of *Dumbar*, which, the Governour, not daring to diſobey the Royal Mandate, immediately ſurrendered. Of this the Earl of

A.D. 1434. E. of *March* in Diſgrace.

(*a*) Joan. Maj. f. 133.

March and his Friends made grievous Complaints, as of an Action illegal and arbitrary; for, ſaid they, who can be ſecure of their Property if the Mannors and Eſtates of Noblemen and Gentlemen may be thus ſeized without any Form of Proceſs into the King's Hands. But the King, to ſhew that he meant to do nothing contrary to Law, appointed a Parliament to meet at *Perth*
A. D. 1435. on the 10th of *January* 1435 (*a*). The ſame Day the Abbots of *Scoon* and St. *Colme*, Maſter *John Stewart* Provoſt of *Methven*, *Robert Stewart* of *Lorn*, *Thomas Somervel* of *Somervel*, *Walter Halyburton*, *John Spence* of *Perth*, *Thomas Chalmers* of *Aberdeen*, and *James Parklie* of *Linlithgow*, were unanimouſly elected, and ſworn to hear and report all Cauſes and Controverſies which were to be moved or inſiſted upon during that Seſſion. The next Day both the King as Purſuer, and Sir *George Dunbar*, (for the Title of Earl was not allowed him,) as Criminal and Defendant, compeared by their Procurators or Advocates. They for the Earl pleaded, That his Father had been pardoned by the ſupreme Magiſtrate (namely *Robert* Duke of *Albany*) then in being; but the King's Advocates replied, That the Power of reſtoring Exiles, and which is more, of reſtoring their Eſtates to them tho forfeited for Treaſon, and thereby annexed to the Crown, was never lodged in the Perſon of a Governour or Guardian of the Kingdom; That ſince his Majeſty's Return from *England* the States had often declared their Sentiments by the Acts of Parliament which they had made concerning that Matter; and that all Largeſſes or Alienations of Crown-Lands, (ſuch as the forfeited Eſtate of the Earl of *March* undoubtedly was,) when made during the Minority, and much more during the Captivity or Exile of Princes, might and ought to be recalled by the Laws of *Scotland*. To be ſhort, after a long Debate the Parliament found, and by the Mouth of *David Dempſter* their Speaker, (*Judicator* is the Word uſed in the Record) declared, "That by reaſon of the Forfeiture of *George Dunbar* "ſometime Earl of *March* and Lord of *Dunbar*, the Earldom of "*March*, Lordſhip of *Dunbar*, and all the other Lands which the "ſaid *George* had held of the Crown of *Scotland*, did and do be"long to the King who now is, both as to the Right of Propri"ety and Poſſeſſion." Yet ſuch was the King's Bounty, that ſoon after, commiſerating the low Condition of that very noble and
Made Earl of *Buchan*. ancient Family, he gave him the Earldom of *Buchan* in Exchange for that of *March*, as if he meant not to puniſh him for the Crime of his Father, but to remove him from the dangerous Temptation, which had ſo frequently ſeduced his Anceſtors into a Correſpondence with their door Neighbours the *Engliſh*. The Earldom of *Buchan* had been given by King *Robert* II. (*b*) to *Alexander* of *Badenoch* his fourth Son; by what means it came to be poſſeſt by *John Stewart* Earl of *Buchan* and Conſtable of *France*, I cannot precisely

(*a*) Black Acts f. 23. (*b*) Crawfurd's Hiſt. of the Stew. p. 171

juſtly tell, but have Reaſon to think, that it returned to the Crown upon the Death of the Lord *Alexander*, who left no lawful Iſſue behind him, and that Duke *Robert*, who was Governour of the Kingdom at the time, took the Freedom to beſtow it upon his own ſecond Son *John* Earl of *Buchan* and Conſtable of *France*: For which Reaſon it is probable that King *James*, who juſtly quarrelled all the Alienations of the Crown-Lands which either of the Governours had made, ſeized the Earldom of *Buchan* into his own Hands. For the Reaſon given by *Buchanan* (*a*) and others, why it was by him reannexed to the Crown, is evidently falſe, *viz.* that *John* Earl of *Buchan* and Conſtable of *France* died Childleſs: That Heroe left a Daughter behind him, (as I ſhall evince in his Life) who was afterward married to *George* Lord of *Seton*, one of the illuſtrious Anceſtors of the preſent Earl of *Winton*. I take notice of theſe Tranſactions and the Reaſons of them, to ſhew, that tho the King was at great Pains to enlarge his Demeſnes, yet in all his Proceedings of this kind he acted conformably to Reaſon and Law; nay, that he was not only juſt, but merciful and kind to thoſe whoſe Eſtates were by Law and Reaſon his own. I ſhall give another Inſtance of this Truth.

King *Robert* II. (*b*) had given the Earldom and Palatinate of *Strathern*, which he himſelf had got from his Uncle King *David* II. to *David* his eldeſt Son by his ſecond Wife Queen *Euphame Roſs*; but with this *Proviſo*, That if Earl *David* ſhould have no Heirs male, the Earldom ſhould return to the Crown. He had no Heirs male, but he had a Daughter the Lady *Euphame*, who was married to *Patrick Graham* a younger Son of Sir *Patrick Graham* of *Graham* or *Kincardin*, who in Right of his Lady, as he pretended, and no doubt with Conſent of the Governour, not only enjoyed the Eſtate, but alſo took upon him the Title of Earl or Count Palatine of *Strathern*. His Son *Meliſs Graham* did the like; and this was what King *James* juſtly quarrelled as an Encroachment upon his Rights. He therefore diſpoſſeſt the *Grahams* of that Appennage of the Crown, but was ſo good as to compenſate their Loſs with the Earldom of *Menteith*, which he gave to Earl *Meliſs* or his Heirs, from whom deſcended the Earls of *Menteith* and *Airth*. This was very fair, nay it was obliging and kind; yet *Robert Graham* the Uncle and Tutor of Earl *Meliſs*, (a Villain, who, ſays *Hawthornden* (*c*), *dared to attempt thoſe Things which no honeſt Man ever could think*,) reſented it ſo highly, that being diſtracted with Rage, he uttered the moſt provoking Language imaginable; for which he was ſummoned to anſwer in Law, but did not appear, and therefore was baniſhed: Happy if he had then been apprehended and cut off, before he could have had Leiſure to contrive the irreparable and (for many Hundred Years bypaſt, in *Scotland*

Earl of *Strathern* made Earl of *Menteith*.

(*a*) p. 351. (*b*) Buchan. p. 354. Hawthorn, p. 29, 30. Crawfurd. Hiſt. of the Stew. p. 18. and Hiſt. of the Shire of Renfrew p. 30. (*c*) p. 11.

at leaſt) unprecedented Miſchief, which he afterwards effected. Indeed he was not the only one in the Nation, who being diſappointed of their Hopes, or deprived of what they conſidered as their Inheritances, unreaſonably complained of the King, as if he had had a mind to ingroſs the Wealth of the whole Kingdom to himſelf, thereby reducing the Heirs and Repreſentatives of the beſt Families to Poverty and Want. And the Truth is, it ſeems the King made too great Haſte in the Reformation of Abuſes; they had crept in by Degrees during the Adminiſtration of the late Governours, and were not to be removed but by the like Degrees. *Feſtina lente*, make haſte but ſlowly, when you would act ſecurely. The moſt generous and active Medicines are not always the moſt ſafe; ſtrong Emeticks, violent Catharticks and plentiful Bleeding are certainly of admirable Uſe, but they muſt be well timed. So ſay the Phyſicians of our Bodies; and they of the State, when they find it, as in the preſent Caſe, diſtempered and overgrown with Humours, ſhould act agreeably to the ſame Maxim. Had King *James* lived nearer to our Age, I mean, had he had from the Experience of former Ages the leaſt Reaſon to think that the *Scots* Nation, or but a great many in the Nation, could have been by ſelf intereſt ſeduced into a Diſlike of his ſacred Perſon or Royal Family, he had certainly been a little more ſlow and cautious in the Purſuit even of Juſtice and Right, than he was; the rather, becauſe by this time, the Crown could not, as in the Beginning of his Adminiſtration, be thought indigent. For, beſides the ſeveral Reverſions which I have already mentioned, and which no doubt very much contributed to enrich it, he alſo ſucceeded to the opulent Eſtate of *Alexander Stewart* Earl of *Marr*, who died (*a*) this Year 1435. And becauſe *Buchanan* (*b*) and others (*c*) have laid hold on this Opportunity of digreſſing a little, to give an Account of the Life and Actions of that Earl, I humbly conceive, that I, whoſe Province it is to revive the Memories of Men like him eminent for their Valour, will not be cenſured for taking the ſame Freedom.

Alexander Stewart Earl of *Marr* his Life and Death.

He was, as I have already inſinuated, the natural Son of *Alexander* of *Balenoch* Earl of *Buchan*, the fourth Son of King *Robert* II. I ſay, he was the natural Son of that Prince, not only becauſe I am told ſo by former Authors, but alſo becauſe, if he had been lawfully begotten he had certainly ſucceeded to his Father in the Earldom of *Buchan*. He is nevertheleſs called the eldeſt Son (*d*) of the Earl of *Buchan* in a Charter granted to him *Anno* 1404, by his Lady *Iſabella Douglas* Counteſs of *Marr*, by which Charter ſhe gives him the Earldom of *Marr*, *in Conſideration of the Marriage contracted between him and her*; and no doubt it was alſo in conſideration of that Marriage that he is ſaid to be *the eldeſt Son* of his Father:

(*a*) Joan. Maj. f. 134. (*b*) p. 151. (*c*) Joan Maj. loc. cit. Hawthorn. p. 29. (*d*) See Crawf. Hiſt. of the Stew. p. 17.

Father: From whence it does not follow that he was not a Baſtard. However, tho the Heat of his Youth led him to Actions unbecoming the Character of a Gentleman, (for he ſet himſelf at the Head of the Caterans, that is, Robbers and Outlaws,) yet he afterwards proved an Honour to his Country, and an Ornament even to the Blood Royal.

In 1411 he commanded the Loyaliſts at *Harlaw*, and having made a great Slaughter of the Iſlanders, effectually ſecured the Government againſt the like Attempts for many Years afterwards. But he himſelf, ſays *Buchanan*, was unwilling to enjoy that Peace which he procured to his Country; for tho he had acquired great Wealth, and bought many ſtately Seats, yet he ſhewed himſelf ſo averſe to Idleneſs and Pleaſure, that with a Company of brave Volunteers he went over to *Flanders*, and aſſiſted *Charles* Duke of *Burgundy* in his Wars againſt the *Luicklanders*. Others (*a*) tell us, that he ſignalized himſelf at the Siege of *Liege* ſo eminently, that it was generally believed, that the Duke of *Burgundy* would have miſſed his Aim, had he not followed the Advice of the Earl of *Marr*. But theſe Authors are certainly in a Miſtake, both as to the time and Perſons they ſpeak of; for the Earl of *Marr* died in this Year 1435, others ſay in 1436, when *Charles* Duke of *Burgundy* was not as yet in Being. This is evident from all the Hiſtories of theſe Times, by which we are informed, that *Charles* Duke of *Burgundy* was 40 Years of Age when he was killed at the Battle of *Nancy* in 1477, and that he beſieged and burnt *Liege* about the Year 1448, more than 30 Years after the Death of the Earl of *Marr*; ſo that I can ſee no Ground nor Reaſon for this groſs Miſtake into which our Hiſtorians have fallen, ſave, that it is very true, that a brave Company of *Scots* (*b*), (by whom they were commanded I have not examined) did in or about the Year I have juſt mentioned, aſſiſt *Charles* Duke of *Burgundy* in his carrying on that memorable Siege. Another Occaſion of the Miſtake ſeems to be this: The Earl of *Marr* did go to the Low Countries ſometime after the Battle of *Harlaw*, where, if he ſerved at all in the Wars, it muſt have been under *Philip*, and not *Charles* Duke of *Burgundy*. However, he made ſo fine a Figure in that Country, that his firſt Lady being dead, he gained the Heart and Bed of the Lady *Jane*, a Daughter of the Earl of *Holland*, and in her Right laid Claim to that Sovereignty. But the *Hollanders* would not ſubmit to the Government of a Foreigner, which obliged him to return to *Scotland*, with a Deſign to make War with that petty State. Accordingly he ſet out ſeveral Ships for the Purpoſe, but with ſmall Succeſs in the Beginning. At length he had the good Luck to meet with a numerous Fleet of the Enemy as they returned from *Dantzick*, which he bravely ſet upon, and having ſunk and burnt moſt of their Ships, he came off not only

Buchanan miſtaken.

(*a*) Extract. e Chr. Scot. (*b*) Memoires de Phil. Comines.

with Victory, but alſo with a great Prey, in ſo much that the *Hollanders* were fain to ſue for a Peace, and obtained what was a good, I mean a Truce for an Hundred Years. I have related this Story the rather, becauſe it is a ſignal Inſtance of the Viciſſitudes of human Affairs, and is one Proof, (I could give many more to the ſame Purpoſe,) that had *Scotſmen* been ſo honeſt and juſt to themſelves, as to improve the Advantages which the bountiful Ocean has laid at their Door, they might have been by this time, what the *Hollanders* are, I mean, capable to vye in Shipping and Commerce, by conſequence in Grandeur and Wealth, with the nobleſt States in the World. The Earl did his Country another Piece of Service, by cauſing fine Stallions and Mares to be brought thither out of *Hungary*; and their Breed laſted long after, to his great Commendation and the no ſmall Advantage of the Kingdom. His Death, tho it is a Pity that ſuch Men ſhould die, was alſo ſerviceable to it; for, as I have obſerved, the King was his Heir, and his great Eſtate, joined with the other Lands which returned to the Crown, enabled his Majeſty to ſend his eldeſt
A. D. 1436. Daughter the next Year 1436 to *France*, in order to the compleating of her Marriage with the *Dauphin*. Indeed the Want of Money was the leaſt Impediment that ſtood in the way of the
The *Engliſh* endeavour to obſtruct the Voyage of the Dauphineſs to *France*. Princeſs's Marriage; for the *Engliſh* Court left nothing undone to obſtruct it, and they had Reaſon; their Affairs beyond Seas were declining daily; their Allies, particularly the Duke of *Burgundy*, without whoſe powerful Aſſiſtance they could never have prevailed as they did, were beginning to fall off; and it was plain, that *France* alone was or would ſoon be more than a Match for them. It was therefore thought highly expedient, to prevent by all means poſſible the diſmal Effects of the intended Match; for ſince the Kingdom of *Scotland* had made ſo great Efforts for the Preſervation of *France*, when even their own Sovereign was in the *Engliſh* Camp, what would they not do when their Sovereign's Daughter ſhould come to be Queen of that Realm? The King of *England* did therefore write (*a*) to King *James* on the 8th of *March*, deſiring a Paſport for his Ambaſſadors, and that the Truce might be prolonged. The Lord *Scroop* was Chief of the Embaſſy, who is ſaid to have propoſed a Marriage between King *Henry* himſelf and the Princeſs, and offered to reſtore to the Crown of *Scotland* not only *Berwick* and *Roxburgh*, but alſo all the Lands that ly between *Twe d* and the *Re-Croſs* in *Yorkſhire*, which, as I have elſewhere (*b*) related, was by *William* the Conqueror and *Malcolm Canmore*, made the Boundary of the two Kingdoms. The excellent Poet and polite Hiſtorian, *William Drummond* of *Hawthornden* (*c*), has inſerted in his Life of King *James* I. a long and eloquent Harangue, which he ſuppoſes the Lord *Scroop* to have made to the King and Council upon this Occaſion, and another, no leſs rhetorical,

(*a*) Fœd. Angl. Tom. X p. 635. (*b*) Vol. I. p. 360. (*c*) p. 31, 32, &c.

rical, pronounced at the ſame time in confutation of it by the *French* Ambaſſador: But becauſe neither of them is genuine, being the Product of that ingenious Author, I do not tranſcribe them; beſides, I am not fond of tranſcribing at any Rate. It is certain however, that the Propoſals of the *Engliſh* were rejected, which incenſed them ſo much, that inſtead of renewing the Truce, which expired on the 1ſt of *May* 1436 (*a*), they threatned a War, declaring at the ſame time that they would hinder the Princeſs's Paſſage by Sea: Which accordingly they attempted to do, but to no purpoſe; for in place of the *Scots* or *French* Tranſports, they encountred a Fleet belonging to *Spain* and bound for *Flanders*, which they beſet with Fourſcore Veſſels, commanding all the Paſſengers, eſpecially the Ladies, to ſurrender themſelves Priſoners of War. The *Spaniards* gave them civil Anſwers. But they would not ſuffer themſelves to be impoſed upon, as they thought, by Civility. Upon this a ſharp Engagement enſued, and the *Spaniards* getting the better of them, the *Engliſh*, after the Loſs of ſome Ships and many Men, were beaten into an Acknowledgment of their Error. The Princeſs in the mean time eſcaped by the Weſtern Seas without Danger, or ſo much as ſeeing an Enemy. She landed at *Rochell*, where a noble Train of the *French* Nobility waited on her, and from whence they conducted her to the Court at *Towrs*. She was as yet but 12 Years old, and the *Dauphin* not full 14; for which Reaſon a Diſpenſation was neceſſary before the Marriage could be ſolemnized: But that was what *Philip* the Archbiſhop of that Dioceſe very readily granted (*b*) on *Wedneſday* the 13th of *June*, and the Royal Pair were in the moſt ſolemn manner imaginable married ſome Days after, to the great Joy and Satisfaction of both Nations. They had Reaſon, for the *Scots* could not hope for a more elevated Match for their Princeſs in the Chriſtian World; and the ſame Motives that at firſt induced the King of *France* to deſire a Daughter of *Scotland* to be married with the *Dauphin* his Son, ſubſiſted ſtill, and were deeply imprinted on the Hearts of his Subjects. What theſe Motives were, he himſelf tells us in the Commiſſion (*c*) which he gave 8 Years before to the Arch-Biſhop of *Rheims* and Lord *Darnley*, when he ſent them on that Errand to *Scotland*. "For, "ſays he, that Friendſhip, which at firſt was the Effect of meer "Neceſſity, muſt, by the very Inſtinct of Nature and Power of "Grace, become much more ſtrong and laſting, when to former "good Offices, mutual Obligations, and irrevocable Leagues, Pro"pinquity of Blood is ſuperadded; nay, by the Conjunction of "illuſtrious Families or Houſes, the Parents of both are honoured, "and their Offspring doubly nobilitated, in ſo much that the "Ties of Blood and Nature are not to be broken. Theſe Conſi"derations, and the Regard which we have for the moſt Chriſtian

But to their coſt.

The *Dauphineſs* arrives at *France*.

Her Age diſpenſed with, and Marriage conſummated.

Remarkable Expreſſions of the King of *France*.

(*a*) Fœd. Angl Tom. X, p. 482, 483. (*b*) See the Original in the publick Regiſter, and a Copy of it penes Comit. de Winton. (*c*) See it in the publick Regiſter, or low Parliament-Houſe, Edinburgh.

" Houſe of *France*, oblige us to take care, that it be further adorn
" with new Honours, and ſtrengthned with additional Pow
" and ſince the celebrated Elevation of Blood, the Excellency
" Vertue, the invincible Fortitude, and more than all, the mo
" candid and ſincere Faith, which ennoble the Royal Houſe o
" *Scotland*, are ſo eminently conſpicuous to the World; we there-
" fore impower .... Theſe, I ſay, (for it were tedious to tranſ-
late or tranſcribe the whole Record) were the prevailing Motive
that made the King and Kingdom of *France* ſo fond of the *Scottiſh*
Match: And no doubt King *James* did not fail to perform his par
of the Contract; by conſequence, he muſt needs have ſent along
with his Daughter to *France* an Army of at leaſt 6000 Men. But,
tho this was an expreſs Clauſe and Condition of the Treaty, and
tho not only the *Dauphineſs* at this time, but alſo her Siſters, were
many Years after received into that Kingdom with open Arms, as
I ſhall by and by relate, yet no Author I am acquainted with tells
us poſitively, that the Number of Forces agreed to were actually
ſent over, much leſs who commanded them, or how they were em-
ployed after their landing: Only we are told (*a*) in general, that a
numerous Retinue of the Nobility, namely the Biſhop of *Brechin*, the
Earl of *Orkney*, Sir *Walter Ogilvy* Lord Treaſurer, *Herbert Harris*,
William Strachan, *John Maxwel*, *William Scot*, *John Campbel*, *Alex-
ander Seton*, *Henry Graham*, *Henry Wardlaw*, Knights, *&c.* attend-
ed the Princeſs with a Fleet of 40 Ships; that ſhe was alſo accom-
panied by no leſs than 140 Ladies, for the moſt part unmarried, and
that her five Siſters were of the Number: Which may be true, but
is in ſome Meaſure contradicted by the *French* Hiſtorian *Mezeray* (*b*).
According to him, her two Siſters (afterwards the Arch-Dutcheſs of
Auſtria, and Dutcheſs of *Britanny*,) did not go to *France* till the Year
1447, when, upon their Arrival, they heard, to their unſpeakable
Grief, that both the Queen their Mother, who, ſays he, had retired
to that hoſpitable Kingdom ſometime before, and the *Dauphineſs*
their eldeſt Siſter, were dead. But the King of *France* took care to
wipe off their Virgin Tears; he welcomed them with all the Marks
of Affection and Honour in his Power to give them had they been
his own Daughters, aſſuring them that he would be their Father:
And he was no worſe than his Word, ſince he afterwards beſtowed
them in Marriage upon the two Princes whom I have mentioned.
But of theſe Matters by the by.

The *Engliſh* finding themſelves diſappointed, firſt in their Suit to
the King, and afterwards in their Deſign of intercepting his Daugh-
ter by Sea, reſolved to invade his Territories by Land. With this
View the Earl of *Northumberland* put himſelf at the Head of 4000
Men, and began to commit Hoſtilities; but was ſoon ſtopt in
his Carreer by *William Douglas* Earl of *Angus*, who being accom-
panied with an equal Number of Men under his own Conduct, and
that

(*a*) Hawthornden p. 38. Boet. f. 353. (*b*) Tom. 2. p. 638.

that of *Adam Hepburn* of *Hales*, *Alexander Elphinſton* of *Elphinſton*, and *Alexander Ramſay* of *Dalhouſie*, met him at a Place called *Popperden*. Both Parties behaved (as the *Scots* and *Engliſh* are wont to do) admirably well; but at length Victory declared herſelf for the former. They loſt but about 200 Gentlemen and common Soldiers. *Alexander Elphinſton*, for his known Valour and Quality, eſteemed the moſt eminent among them, was therefore deſervedly regreted; the rather, becauſe he left but one Daughter behind him, who being afterwards married to *Gilbert Johnſton* of *Johnſton*, carried the Lands of *Elphinſton* in *Lothian* along with her ſelf into that Family. And this is the Reaſon, I ſuppoſe, why *Buchanan*, pretending to correct former Authors, ſays (*a*), that *Alexander Johnſton* of *Lothian*, a noble Perſon, and of a clear Courage, was killed at this Engagement. On the other ſide 1500 Gentlemen and common Soldiers, and 40 Knights, were left on the Spot; Sir *Henry Clydiſdale*, Sir *John Ogle* and Sir *Richard Percy* being the moſt conſiderable; beſides 400 who were made Priſoners: Tho others write, that the Number of the Priſoners amounted to 1500, and that of the Slain on both ſides to no more than 40, or 200 at moſt.

Battle of *Popperden* gained by the *Scots*.

Alexander Elphinſton killed.

Buchanan miſtaken.

While the Earl of *Angus* was thus defending the Borders with Honour and Succeſs, the King himſelf was not idle. He had many Reaſons to wiſh for an open War with *England*, and was no doubt glad of the Opportunity and Provocations which that Nation had given him to commence it, than which he could do nothing more agreeable to the Royal Family of *France*, into which his own Daughter was now entred; beſides, the *Engliſh* Grandeur in that Kingdom declined apace, and News was brought about this very time that they had been driven from *Paris*, above 16 Years (*b*) after the Duke of *Clarence* had taken Poſſeſſion of that mighty Capital in behalf of his Brother *Henry* V. and near 5 after that Monarch's Son *Henry* VI. (*c*) had been ſolemnly crowned King of *France* in its grand Cathedral. But tho they had loſt the Capital, yet they were ſtill Maſters of a great part of the Kingdom; for which Reaſon, a Diverſion given them within this Iſland could not but be of great uſe to our Allies abroad. The common Enemy was alſo in poſſeſſion of *Roxburgh* and *Berwick*, two Places which had ever belonged to *Scotland*, till the Encroachments made upon us by King *Edward* I. and III. And the King, who with ſo much Difficulty and Danger had retrieved the other Loſſes of his Crown and Kingdom, thought this a fit Time to endeavour the Recovery of theſe Places. Another Incentive to War was the Diſtaſte ſome few People had taken at his Perſon and Government upon thoſe Accounts I have often mentioned; and it was neceſſary to cut out Work for the reſtleſs Spirits of ſuch Malcontents as might be inclinable to diſturb the domeſtick Peace, which was now ſo happily eſtabliſhed. It was no leſs expedient to rouze up and awaken, if I may ſpeak ſo, the old

A. D. 1437.

Motives of the King for a War with *England*.

(*a*) p. 358. (*b*) Echard p. 489. (*c*) Ibid. p. 484.

hardy and robuſt Temper of the Nation, which by too much Eaſe, idling and Luxury, might chance to become in ſome Meaſure Lethargick, and degenerate into Effeminacy or Cowardice. This Miſchief, undoubtedly one of the greateſt that can happen to any Nation, but more eſpecially to the *Scots*, had been much dreaded ſince the very Beginning of the King's Adminiſtration: For, a long before with *Malcolm Canmore* (*a*) and his Royal Conſort Queen *Margaret*, ſirnamed the *Saint*, ſo at that time with King *James* I and his Royal Conſort Queen *Jane*, the *Engliſh* Modes and Manners were brought into *Scotland* (*b*): Maſques, Banquetting, Drinking, gorgeous Apparel, revelling by Night, and ſleeping by Day became faſhionable among us, and as Pieces of Gallantry, or Proof of good Breeding, were not only licenſed, but ſtudied with Affectation, and practiſed with Applauſe; in ſo much, that what was wont to entertain whole Families and a fair Train of hardy Men came to be miſpent in Riot and Exceſs. The old Men and ſeverer ſort of the Clergy beheld theſe Innovations with Indignation and Fear; and tho they could not blame the King, who was like his moſt wiſe and warlike Predeceſſors, a Pattern of Frugality and Moderation; yet they could not forbear exclaiming againſt his Education, and the many *Engliſh* who reſorted to Court. Among the reſt *Henry Wardlaw* Biſhop of St. *Andrews* is ſaid to have made an admirable Speech in full Parliament upon that Subject; and it is certain, that the King was ſo far from being diſpleaſed with his Boldneſs, that on the contrary, he much commended his Zeal, and did all he could to ſuppreſs the Abuſes complained of. Witneſs a great many Acts of Parliament ſtill extant upon Record, particularly thoſe againſt Vanity in Apparel, and Drinking. By the one (*c*), Cloaths of Silk, rich Embroideries, coſtly Furrs, Necklaces of Pearl, *&c.* were prohibited, none but Knights and Lords, or their Heirs, being allowed to wear them. By the other (*d*), no leſs than Impriſonment was inflicted upon all ſuch as ſhould be found in Taverns of Wine, Ale or Beer, after the tolling of the Bell at 9 of the Clock at Night. Nay the Aldermen and Baillies of Burghs were commanded to put this Law in Execution under the Penalty of 50 ſh. payable, as often as they ſhould fail in their Duty, to the Chamberlain.

Sumptuary Laws.

Drunkenneſs puniſhed.

But the King's grand Buſineſs was to revive the ancient Uſe and Exerciſe of Arms, than which a better Divertiſement with reſpect to Soul, Body, Health or Intereſt cannot be deviſed. With this View, in the very firſt Parliament which he held after his Return from *England*, he (*e*) made an Act, diſcharging that ſort of Divertiſement called in *Scotland* the Football, and in its place ſubſtituted that of ſhooting with the Bow and Arrow. He was ſo earneſt upon this Point, that even Boys, when they came to

Uſe of Arms revived.

(*a*) See his Life, Vol. 1. p. 366. (*b*) Hawthornden p. 26. (*c*) See the black Acts f. 20. cap. 133. (*d*) Ib. f. 24. cap. 161. (*e*) Ib. f. 4. cap. 19.

to the Age of 12 Years, were (*a*) expreſly commanded to repair at certain Times to certain Places called *Bowmarks*, appointed for the purpoſe, and to learn the uſe of *Archery*, which was in thoſe Days as neceſſary as that of Gunnery is now, by *ſhooting*, as the Record has it, *at leaſt Thrice about*. In another Parliament *Wappinſhawings* (*b*), that is, General Muſters or Rendezvouſes of all Men between the Age of 16 and 60 Years, were appointed to be made four times every Year, in each *Sheriffdom* of the Kingdom. In another (*c*), the different Arms of Men of Eſtates, private Gentlemen, Citizens, *&c.* were determined, and the meaneſt Fellow in the Kingdom was peremptorily commanded to have ſufficient Bows and Arrows, with a *Sword*, *Buckler* and *Knife*; ſo that the Number of Men fit for military Service muſt needs have been very great. All theſe Reaſons induced the King to reſent the late Injuries done him by the *Engliſh*. Accordingly he drew a vaſt Army together, and ſetting himſelf at the Head of it, laid Siege to *Roxburgh*. The Place, tho bravely defended by Sir *Ralph Gray*, was almoſt as good as taken, when the Queen arrived in the Camp with the worſt Tidings imaginable. She aſſured the King her Husband, that a Conſpiracy was formed againſt his Life, and juſt ready to break out, but could give no Account of the Conſpirators. This made him apprehend the ſame Danger with which he very well knew that *Henry* V. had been threatned, tho, as himſelf, in the midſt of his Army: For the great Officers of the Army deſigned to have killed that Prince, and it was poſſible that *Engliſh* Gold, or private Reſentment might incite ſome of his Subjects to the like Villany. He therefore unluckily raiſed the Siege, disbanded the Army, and, which is ſtill more ſurpriſing and unaccountable, without ſo much as detaining, as he might eaſily have done, a Lifeguard of Truſtees about him, retired to *Perth*. But it ſeems that he knew not whom to truſt, being ſuſpicious of all but his domeſtick Servants, becauſe he ſaw yet no Reaſon to ſuſpect any one in particular, but hoped to penetrate into the Depth of the Plot before it ſhould be known that he had got notice of it. In this he miſtook his Meaſures extremely. The Traitors gueſſed at his Intentions from the unaccountableneſs of his Conduct, and being perſwaded, that it is leſs dangerous to perfect than to contrive and reſolve upon a Miſchief of that kind, they made haſte to prevent their being diſcovered. The chief Man among them was *Walter Stewart* Earl of *Athole* the King's own Uncle, and the youngeſt Son of King *Robert* II. by his ſecond Wife *Euphame Roſs*. That unnatural Monſter (for he deſerves no better Name,) is ſaid by *Buchanan*, *Boethius* and others, to have conſidered the Progeny of his Father and *Elizabeth Mure* as Perſons unlawfully begotten; by conſequence he thought the preſent King an Uſurper, and that he himſelf had an undoubted, at leaſt a

Roxburgh beſieged by the King in Perſon.

A Conſpiracy diſcovered.

The King retires to *Perth*.

The Earl of *Athole* Chief of the Conſpirators.

(*a*) See the black Acts f. 4. c. 20. (*b*) Ib. f. 10. c. 68. (*c*) Ib. f. 7. c. 48.

Buchanan and others confuted.

preferable Title to the Crown. But the palpable Falſhood of that Calumny has been again and again demonſtrated; and indeed it is ſo groſs a Miſtake, that no candid Author could have ſtumbled upon it, had he but reflected on what all *Scots* Writers muſt needs have known, *viz.* That *Robert* II. had an elder Son, even by Queen *Euphame*, than the Earl of *Athole*; and that that elder Son, I mean *David* Earl or Count Palatine of *Strathern*, had a Daughter called, as his Mother, *Euphame*, from whom the Earls of *Menteith* and *Airth* were lineally deſcended: So that had it been true, as it was not, that the Poſterity of *Robert* II. and *Elizabeth Mure* had been originally Baſtards, yet the Earl of *Athole*, Queen *Euphame*'s youngeſt Son, could not have ſucceeded to the Crown while the Poſterity of the Earl of *Strathern*, her eldeſt Son, had a Being. But it may be that he deſigned alſo to cut off the Heirs of his Brother-german, as well as thoſe of his Father by the firſt Marriage; for, to ſay the Truth, he is by ſome Writers ſuſpected to have had a Hand in the Murder of the Duke of *Rotheſay*, and certain, that he was one of the Judges of Duke *Murdoch* and his Children. From whence we may reaſonably conclude, that his early Ambition made him conſider each Death that happened in the Royal Family as a Step to his own Advancement; the rather, becauſe he was impoſed upon by a Pretender to Divination, to believe that he ſhould not die till he was firſt crowned in a ſolemn Aſſembly of the People. Being animated or rather infatuated with theſe Hopes, he uſed all Means tending to the Ruin of his Kindred, and at length reſolved upon that of the King: Which he was the more able to effect, becauſe his Heir and Grandchild *Robert Stewart* was one of the Bedchamber; a daring but perfidious Youth, who, abuſing the Truſt and Confidence repoſed in him, laid hold on the Opportunity to cut off that precious Life which he ought to have guarded with the Hazard or even the Loſs of his own. *Robert Graham*, the ſame who for his many Miſdemeanours had been once committed to Priſon and afterwards baniſhed, was the third Perſon concerned in the Plot. The two laſt being puſhed on by the firſt, who kept himſelf out of the Way, and guarded by the Cloud of Night and Powers of Darkneſs, came with a ſufficient Number of Ruffians, whom former Villanies had hardned and trained up in Wickedneſs, to the Convent of the *Dominicans* or *Black-Fryars*, a ſtately and convenient Fabrick, not far from the Walls of *Perth*, where the King lodged. One of their Accomplices (ſome ſay the above-named *Robert Stewart* was the Perſon,) introduced them into the Cloyſter, and placed them near to the King's Apartment. While they ſtood there deliberating among themſelves how to get in, by Chance *Walter Straton* one of the Cup-bearers, came out in order to bring Wine for the King and Queen, and perceiving Men in Arms, ſtept ſuddenly back, with a Deſign to ſecure the Door, crying aloud, *Traitors, Traitors*. But they ſoon

E. of *Athole*'s Grandſon a Conſpirator.

Robert Graham alſo a Conſpirator.

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diſpatched that faithful Servant, tho not ſo ſpeedily, but that the Buſtle thereby occaſioned gave Warning to *Catharine Douglas*, a Maid of Honour, afterwards married to *Alexander Lovel* of *Balumby*, who ran and ſhut the Door; but not finding the Bar which would have ſecured it, at leaſt till the Alarm might have been given to the Convent and Town, and had been for that very Reaſon taken away by the ſame Villain who led the Aſſaſſines hither, had the Courage (and indeed a great deal of Courage it was in one of her Age and Sex) to thruſt her feeble Arm into the Place where the Bar ſhould have been, but to no Purpoſe; the delicate Bone was broken to Pieces in a Minute by the Violence of the Aſſailants without, who having forced their Entrance into the Antichamber, killed ſeveral Attendants that endeavoured to reſiſt, among the reſt *Patrick Dunbar*, a Brother of the late Earl of *March*; and by this Means made their Way to the King's Perſon. He ſtood and defended himſelf as long as he could, while his Royal Conſort, not at all concerned for her own Safety, ſtrenuouſly endeavoured to ward off the Daggers and Swords of the Regicides, by interpoſing her Body between her Husband and them: Nay, when he was thrown down on the Floor, ſhe ſpread her ſelf over him, and tho ſhe was twice wounded, could hardly be removed with her Life. At length the bleeding Prince, after having given ſome, and received no leſs than 28 Wounds, ſome of them in his very Heart, was left dead upon the Spot; a ſad Spectacle to all who had any Senſe or Feeling, I do not ſay, of Religion and Loyalty, but of Humanity or Nature. K. *James* I. murdered.

This barbarous Murder was committed on the 20 or 21ſt of *February*, according to all the Authors I have ſeen, but they differ about the Year of God, and are as far out in their Chronology here, as I have ſhewed them to have been with Reſpect to the Deaths of *David* II. and *Robert* III. For *Boethius* (*a*) and they who copy after him, ſay that it happned in the Year 1436, and *Buchanan* (*b*) in the Beginning of 1437; that is, this laſt is miſtaken in one, and the former in no leſs than two Years. But *Buchanan* would have been in the right, if inſtead of placing it in the *Beginning*, he had fixed upon the end of the Year 1437; or if he had neither made mention of the End nor Beginning of the Year, but ſaid with *John Major*, (*c*) that King *James* was murdered in *February* 1437; which agreeably to the preſent Computation muſt have been underſtood of *February* 1438. For every Body knows that till 1600, when King *James* VI. appointed the Year to commence on the firſt of *January*, we in *Scotland* commenced it, as the *Engliſh* ſtill do, on the 25th of *March*. So that, if it be true, as it certainly is, that King *James* I. was cut off not in the Beginning, but in the End of 1437, according to the Computation of the Church and Kingdom of *Scotland* at that Time, we muſt now *Scots* Authors corrected. A.D. 1438.

(*a*) F. 354. (*b*) p. 361. (*c*) f. 234.

reckon that infamous Act of Barbarity to have been perpetrated on the night between the 20 and 21ſt of *February* 1438. I ſay that it is certainly true that King *James* I. was murdered in *February* 1438, *N. S.* by Conſequence that he lived two Years longer than ſome Authors, and one Year longer than any, but *John Major* alone, have adverted to. This is evident from the unerring Dates of all the Writs, Charters, Acts of Parliament, &c. in which the Year of King *James* II. his Reign is to be found, particularly, from that of his firſt Parliament (*a*) held on the 20th of *March* 1437, or as we now compute 1438, *the firſt Year of* his Reign; from that of another held on the 20th of *January* 1449, or according to the preſent Computation 1450, the 13th Year of his Reign; from that of a third held on the 3d of *May* 1450, *the* 14th *Year* of his Reign; from that of a fourth held on the 6th of *Auguſt* 1452, *the* 16*th Year* of his Reign; and laſtly, (for I need not inſtance in more) from (*b*) an Authentick Record, dated at *Stirling* the 6th of *May* 1448, *the* 12*th Year of* his Reign. All which ſhew that the Son and Succeſſor of this Monarch never fails to date the Beginning of his Reign from about *February* 1437, *O. S.* or 1438, *N. S.* Therefore his Father muſt have died at that preciſe Time, and no ſooner. How long he lived, to me, who cannot prevail with my ſelf to give entire Credit to the Authors I have before me, ſeems uncertain: But they generally ſay that he was taken out of this World in the 44th Year of his Age. And now ſince I have made ſo bold with the Authors of my own Country, I hope I will be allowed to confute a more injurious Miſtake, and a no leſs palpable Falſhood, which Mr. *Echard* (*c*) has given himſelf the unneceſſary Trouble to tranſcribe, from what Vouchers he does not tell. " Tho King *James*, *ſays he*, was a Prince of noble " Worth and Virtues, yet this horrible Murder is by ſome Hiſto- " rians accounted as a juſt and deſerved Puniſhment upon him for " his voluntary Breach of his Homage, Oath and Fidelity made " to King *Henry* VI. at the Time when he was ſet at Liberty, af- " ter his long Captivity in *England*." Than which, ſay I, no greater Falſhood was ever aſſerted, as is evident from the whole Hiſtory of his Redemption, or rather Inlargement, which I have faithfully extracted, as the Reader muſt needs have obſerved, not from *Scots* Writers, but from *Engliſh* Records; and who will not give Credit to *Engliſh* Records, when from them, as in the preſent Caſe, the Calumnies of their invidious Writers are ſo evidently detected, and Tranſactions ſo honourable to *Scotland* and *Scotſmen* brought to light? But Mr. *Echard* goes on, and tells us, that *here an* Italian *Author makes this Remark upon the* Scotch *Hiſtory, that among the numerous Race of Kings in that Nation, about one half of the Number met with untimely Deaths.* A malicious Inſinuation, tho I believe, not ſo maliciouſly meant by the ignorant *Italian*, whoever he

Mr. *Echard* confuted.

(*a*) See his Acts of Parliament. (*b*) Penes Comit. de Wint. (*c*) p. 491.

he is, (for I am unacquainted with him) as by Mr. *Echard* himſelf, who digreſſes from his Subject to reflect upon the *Scots* Nation, as if they had brought ſo many of their Kings to untimely Deaths: Whereas it is moſt certain that no Nation under the Sun has teſtified more Veneration for the ſacred Perſons of Sovereigns than the *Scots*. For tho of 88 Kings, who reigned in *Scotland* anterior to King *Edgar* the Son of *Malcolm Canmore*, no leſs than 44 are by *Buchanan* and ſome others ſaid to have been cut off by violent Deaths, yet whoever reads the Hiſtory with impartial Eyes, muſt needs ſee that moſt of theſe Deaths reflect more Honour than Diſgrace, both upon the Nation in general, and ſeveral of theſe Kings in particular: Upon the Nation in general, becauſe when their Kings chanced to fall in War, or to die by ſome Accident, the Nation lamented their Loſs, and did Juſtice to their Memories; and when they were cut off by Treaſon, the Traitors paid dear for it; or if they prevailed for ſome Time, and uſurped the Throne, as happened in the Caſes of *Duncan* II. *Mackbeth*, *Grim*, and ſome others, the Majority of the Nation never failed to join with the rightful Heirs, as ſoon as an Occaſion offered, and ſeldom miſſed of dethroning the Uſurpers; who, if they came to untimely Deaths by ſtruggling to poſſeſs the Rights of another, it was not the Fault but rather the Glory of the Nation. Nay, it was alſo the Glory both of the Nation and their Kings, that ſo many of the latter have dared to die in the Bed of Honour, fighting courageouſly for the Laws and Liberties of the Kingdom, againſt its inveterate Foes, the *Picts*, *Romans*, *Britains*, *Danes*, *Norvegians*, *Saxons*, *Normans*, *&c.* This was the hard, but to the Nation (which could not have ſubſiſted without ſuch Sovereigns) happy Fate of *Anguſian*, *Fethelmack*, *Eugene* I. *Fergus* II. *Amberkeleth*, *Alpin*, *Conſtantine* II. *Indulph* and *Malcolm Canmore*: Others, as *Fergus* I. and *Dongall* were drowned by Accident; and others in fine, ſuch as King *Duff*, *Kenneth* III. and *Malcolm* II. tho the beſt of Princes, were baſely murdered by a few Traitors, whom the Nation diſowned, abhorred and puniſhed. So that, ſuppoſe it were true, as perhaps it is not, that in the Space of about 1400 Years, 44 Kings had met with untimely Deaths; yet I humbly conceive it is evident, that the moſt Part of them, and the Nation in general acquired thereby more Glory than Diſgrace. The Nation could not help nor prevent mere Accidents, neither could they hinder the Succeſs of ſome Uſurpers; but what they could not hinder at firſt, they always overturned at laſt; and that Uſurpers were dethroned, or even killed in the Struggle, I ſay again, that it is the Nation's Glory. Nor are the Deaths of thoſe Heroes who fell with their Swords in their Hands, fighting for the Liberties of their People, and their own Independency, leſs honourable. Beſides, as I have but juſt now inſinuated, it is very doubtful whether it be true or no, that ſo many *Scots* Kings met with untime-

Loyalty of the *Scots* demonſtrated.

ly Deaths. They who will not allow us to have had Kings, or to have been a Nation till about the Year 357, when *Fergus* II. restored, or, according to them, eſtabliſhed the Monarchy, muſt needs ſcore twenty one out of the black Liſt; for no fewer are, by *Buchanan* and *Boethius*, ſaid to have been cut off one way or other, before that Period of Time; and no great Wonder, ſince till about that Time, the Nation was not only Barbarous, but Heathenith, and by Conſequence apt to break through the holy Laws of that Diety, whom they knew not. Dark Reaſon might indeed teach the Gentiles, that without paſſive Obedience and Non-reſiſtance, no Government could be happy nor laſting: But that ſacred Doctrine was not throughly underſtood, till the Light of the Goſpel, of which it is an eſſential Part, overſpread the World. But how much Credit ought to be given to *Boethius* and *Buchanan*, with reſpect to the Deaths of thoſe remote Kings, is a great Queſtion. They ſhew us no Contemporary Vouchers; and *Fordon*, a much better Author, who lived long before them, and who read our ancient Annals more diligently by far than they, often contradicts (as I have frequently ſhewed in the firſt Volume of this Work,) the uncertain, if not falſe, or which is worſe, calumnious Accounts which they give concerning the Perſons, Actions and Deaths of our Kings. And to be ſhort, the ſame Authors have fallen into ſo many palpable Blunders, and delivered ſo notorious Falſhoods, concerning the Government and Succeſſion, even of our lateſt Sovereigns, notwithſtanding they had, or might have had the Advantage of unerring Records to direct them, that were I not aſſured of the Being and Antiquity of the Monarchy by a Train of better Vouchers, whom I have elſewhere cited, but more particularly by *Valerius Flaccus*, *Claudian*, *Adamnanus*, *Beda*, *Gildas*, the *Saxon* Chronicle, *Fordon*, *John Major*, *&c.* and had none but them to ſupport what I have argued for and related, I would give up the Cauſe, at leaſt ſuſpend my Judgment, and doubt of what they and I my ſelf have written, till about the Conqueſt of *England* and Reſtoration of King *Malcolm Canmore* to *Scotland*; after which Time the Being of Kings, and Tranſactions of both Nations, can be vouched from Contemporary Writers and unqueſtionable Records. From all which I conclude, that, tho the Exiſtence of *Scots* Kings, and the Antiquity of the *Scots* Nation in general, are as evidently certain, as any Thing can be, yet till about the Days of *Malcolm Canmore*, we have no great Reaſon to rely upon the Accounts given us by *Boethius* and *Buchanan*, with reſpect to many Particulars. Yet were it true that all the Kings they mention had met with untimely Deaths, it is evident from their own Writings, that but a few, perhaps none of them, were cut off by National Crimes, I mean, a great Majority of the Nation villanouſly combined to deſtroy them; and that, if the Nation in general did at any Time cut off their Kings, we have all the Reaſon

Many particular Accounts given by *Boethius* and *Buchanan* uncertain or falſe.

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n the World to believe, as I have elſewhere (*a*) made it evi-lently appear, that theſe were Uſurpers, or at beſt but titular or guardian Kings, and by conſequence ſuch as were accountable to, and puniſhable by the rightful Heirs. But ſince that unnatural Cuſtom, which allowed the neareſt of Kin to reign, as *Leſly* and others aſſert, or, as *Buchanan* will have it, which entitled the Nobles to elect any of the Blood Royal to be their King, in place of the true Heir when in his Nonage, was taken away, and the lineal hereditary Succeſſion eſtabliſhed; or rather, ſince the hereditary Succeſſion was fairly acquieſced in by all Parties, (for ſeverals of the Blood Royal oppoſed it at firſt, and made ſhift to uſurp the Throne which yet they were not able to keep;) I ſay, ſince the old abuſive Cuſtom was aboliſhed, and the hereditary Succeſſion became to be thought inviolable, a Bleſſing we never attained to till the Reign of King *Edgar*, *Anno* 1098, no Kings were more happy in their Subjects than they of *Scotland*, and no Subjects in all Reſpects more dutiful to their Kings; in ſo much, that from that time down to about the Year 1486, there was not one National Rebellion in *Scotland*. Nay, of 23 Kings and one Queen, who ſwayed the Scepter ſucceſſively from the Year 1098 till this preſent Year 1438, only two, *Alexander* III. and *James* I. met with untimely Deaths. But, as that of *Alexander* was meerly accidental, and in no Senſe criminal, ſo the more tragical Death of King *James* can with as little Reaſon be objected againſt the Nation, ſince, as I ſhall juſt now relate, the Nation deteſted the Parricide, and puniſhed the Parricides in the moſt exemplary manner imaginable. I love not to retort upon any People, much leſs the *Engliſh*; but ſince ſome of their Authors are ſo very provoking, I can not help putting them in mind, that the ſame Tract of Time was but one continued Struggle between the Kings of *England* and their more reſtleſs Subjects; that very near as many Uſurpers as lawful Sovereigns ſat on their Throne; and that two Kings, undoubtedly lawful were dethroned by Acts of Parliament, (that is, or ſhould be, the Majority of the Nation,) and after having been confined, like Malefactors, to different Priſons, inhumanly murdered. But it cannot be made appear from any good Author, that the Majority of the *Scots*, even in the moſt barbarous Ages, were ever guilty of a Parallel Wickedneſs with reſpect to their lawful Kings; nor have they, as rebellious as they are called, and have of late really been, as yet imitated theſe enormous Precedents. But to return to the horrid Murder of King *James*, from whence the Reflections caſt on the Nation by Mr. *Echard*, and others of our own, as well as of foreign Writers, forced me to digreſs;

The Noiſe of it was no ſooner ſpread abroad, but it drew Tears from all Eyes, and raiſed the utmoſt Abhorrence and Indignation in the Hearts of all Ranks of People. Every one breathed

(*a*) See the Life of Kenneth III. Vol. I.

Revenge, and the Nobility of their own accord (as if they had been inſpired by Heaven, or commanded by the Government) ſent out Parties of Men to every Corner of the Kingdom, with ſtrict Orders to apprehend the Murderers; ſo that no Retreat was to be depended upon, no lurking Cave nor hidden Recels ſecure. *Robert Graham*, the main Actor of the Tragedy, made his Eſcape to *Athole*, where he hoped that the Earl's Intereſt, or the Woods or Mountains of that Highland Country, would afford him Protection. But there was another beſides the Earl who had Intereſt there, and who being acquainted with the Woods and Mountains, and inſpired with Loyalty, and backed with a good Body of his Kindred and Tenents, made a Shift to apprehend the Traitor, and with him perhaps ſeveral of his Accomplices. The Laird of *Strowan Robertſon*, the Chief of an ancient, and upon many Accounts, honourable Family, was the Perſon who did the Crown and Kingdom that ſignal piece of Service; for which, about 200 Merks Lands in *Athole* and *Brodalbin* were ſettled upon him by Charter from King *James* II. The Charter yet extant declares the onerous Cauſe of that Grant to be the Zeal and Courage expreſſed by him in bringing ſuch a monſtrous Criminal to Juſtice: And the Lands which he ſo deſervedly obtained, are ſtill poſſeſt by his worthy Succeſſor the preſent Laird of *Strowan*, who, as all his Anceſtors ſince that time, carries the *Graham* bound in Chains, lying under his Arms, for a Compartment; a peculiar Diſtinction in Herauldry which only Five in the Nation are honoured with, and Four of them are of the Nobility. I am ſorry that I cannot inform my Reader by whom the Earl of *Athole* himſelf and the reſt of the Murderers were apprehended; but we are ſure that ſo much Diligence was uſed, that within leſs than 40 Days all the Conſpirators were brought to *Edinburgh*, arraigned, condemned and executed. The meaner ſort of them, ſuch as *Chriſtopher Clawn* or *Cahoun*, were hanged on Gibbets; but the Earl himſelf, his Grandchild *Robert Stewart*, and Couſin *Graham*, were proceeded againſt with unprecedented Severity, being juſtly adjudged to exquiſite Torments and new kinds of Death. Some part of three Days was ſpent in the Execution of *Athole*. On the firſt he was ſtript naked to his Shirt, ſet in a moving Cart, where, a Crane being fixed, his Body was often lifted up by a Pully to a great Height, and ſhewed to the Spectators for ſome time, then ſuddenly let fall almoſt to the Ground; by which means his Members were miſerably disjointed, and his Life preſerved for more Shame and no leſs Pain: For on the ſecond Day he was placed on a Pillar in the View of the People, and a Crown of hot Iron ſet on his Head, with this Inſcription, *Here ſtands the King of Traitors*. Thus was his Oracle accompliſhed. On the third, being placed on an Hurdle, he was dragged by Horſes through the High Street to the Place of Execution, where being laid

Laird of *Strowan Robertſon* his Loyalty.

The Conſpirators ſeverely puniſhed.

laid on a Plank, firſt his Bowels, then his Heart was pulled out and thrown into a Fire: Laſtly his Head being cut off, was fixed on a Pole in the moſt eminent Place of the City, and his Body ſent in Quarters to the four chief Towns of the Kingdom.

Robert Stewart, being but a young Man, and therefore the more eaſily reduced by the Influence of a Grandfather, was uſed more mildly; yet tho he was ſo nearly related to the Royal Family, had not the Honour of being beheaded like a Perſon of Quality, but, as one of the meaneſt of the People, was hanged and quartered. His Quarters were alſo ſet up in different Towns, as Spectacles for the People to gaze at.

Robert Graham, the grand Executioner, the not the chief Contriver of the whole Villany, was uſed as his Crime deſerved; and I am heartily ſorry that any one of that Sirname, to whoſe Loyalty and Prowess the Nation is upon ſo many other Accounts very much indebted, ſhould have deſerved ſo rigorous Treatment. He was firſt dragged through the Streets in a Cart backward, then his Hands (thoſe ſacrilegious Hands which he had lifted up againſt his Royal Maſter the Lord's Anointed,) being faſtned in Iron Hooks and fixed to a Gibbet in the ſame Cart, the moſt fleſhy Parts of his naked Body, particularly thoſe that are moſt remote from the Vitals or Springs of Life, as the Legs, Thighs and Shoulders, were ſeared by three Executioners with burning Pincers, and leiſurely burnt to the very Bones. This done, his Body was cut in Quarters, and diſpoſed of as thoſe of his Accomplices. Such was the natural Boldneſs or Ferocity of this perverſe Man, that being asked (*a*) how he durſt offer to kill his Sovereign, he made Anſwer, even when he was under the Extremity of Pain, and very near breathing out his laſt, *That he durſt leap out of Heaven and all its Joys into the torturing Flames of Hell.* Yet he is by others (*b*) ſaid to have made this Excuſe for himſelf, That being outlawed and baniſhed by the King, he ceaſed to be his Subject; as if the Puniſhment of former Crimes could make after-ones lawful, or the ceaſing to be a good Subject entitled one to be a Sovereign; or rather, as if Rebellion gave Right to commit Murder, Parricide, Sacrilege, *&c.* Such a villanous Excuſe was ſo far from taking with the People, that the following Rhime, deſigned to expreſs their Abhorrence of the Fact, became a Proverb among them.

Robert Grahmen
That ſlew our King,
God give him Shamen.

Æneas Sylvius, the Pope's Nuntio in *Scotland* at the time, and who himſelf was made Pope ſome Years after, ſaw thoſe dreadful

(*a*) Hay Lord Erden p. 52. (*b*) Jo. Maj. f. 137.

Executions with ſome Horrour, but more Admiration, and ſaid, "That he was at a Loſs to determine, whether the Crime com- "mitted by the Regicides, or the Puniſhment inflicted upon them by "the Juſtice of the Nation was greateſt." And this, I take it, is a convincing Proof, that the Nation was very free from the leaſt Imputation of Guilt: And no wonder; For,

Character of K. *James* I.

As King *James* I. was in all Reſpects one of the moſt accompliſhed Gentlemen, ſo he far exceeded in each princely Capacity all the Sovereigns who lived at the time of his Death. His Stature was ſcarcely of a full Size, but the Proportions of his Body and Lineaments of his Face were ſo juſt and regular, that he was perfectly lovely and admirably ſtrong. His vigorous healthy Conſtitution, which he had improved by all the Exerciſes then in faſhion, enabled him to endure the greateſt Hardſhips. None exceeded, and few equalled him in Riding, Wreſtling, Juſting at Turnaments, Skill of Archery, or the right Management of all ſorts of Arms. He could throw a huge Stone or heavy Bullet a great Way farther than moſt of his Court; and would ſometimes outrun the ſwifteſt of his Footmen or Pages. The ſweeteſt Voices of Ladies, and the moſt artful Tunes of profeſſed Muſicians became grating to the Ears, as ſoon as he was pleaſed to ſing in his Turn: Nor was he leſs perfect in Inſtrumental than in vocal Muſick; he played upon the Harp better than any of the *Iriſh* or Highlanders, who, it ſeems have at all times been famed for their Skill in that reſpect; and as I have already related, he was the firſt that introduced the Uſe of Organs into the Churches of his Kingdom. He underſtood the Muſick of Words no leſs than that of Notes, being himſelf an admirable Poet for the Age he lived in. Several Songs and other Verſes of his Compoſure were preſerved and admired when *John Major* (*a*) wrote his Hiſtory, that is, in the Minority of King *James* V. Nay, he complimented the Publick with a Treatiſe upon Muſick, and a Poem upon the Lady *Jane* then his Miſtreſs, afterwards his Wife; the only Perſon who, ſo far as we know, found the Way to his Heart ſo as to captivate his Affections. Being Maſter of at leaſt three Languages, the *Engliſh*, *French* and *Latin*, he wrote and ſpoke them all with as much Elegancy and Politeneſs as that Age was capable of. To be ſhort, he was of ſo pregnant a Wit and his Knowledge was ſo univerſal, that no Science nor liberal Art were known to the then Learned, but ſuch as he comprehended and could diſcourſe of, as if each of them had been his peculiar Study; in ſo much, that he ſeemed rather born to, than inſtructed in Letters, or to have obtained from bountiful Nature thoſe Acquirements which in other Men are the painful Product of Application, Experience and Age. His Converſation was familiar and eaſy, his Deportment grave, but nowiſe auſtere, his Paſſions moderate, his Religion ſincere, and his Courage unqueſtionable.

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(*a*) f. 125.

read of no Vice to which he was addicted; and the Care which he had of the Church and Church-men, as alſo the noble Fabrick which he erected at *Perth* for the rigid Order of *Carthuſians*, beſpeak him a Man of Piety. His perſonal Courage, the *Engliſh* who witneſſed it in the *French* Wars, particularly at the Siege of *Dreux*, very much extol; beſides, it was made ſufficiently manifeſt by his bold Proſecution of the Rebels in the North, but much more by his daring as well as indefatigable Vigour in the Adminiſtration of Juſtice, Execution of the Laws, Reformation of Abuſes, civilizing of his People, depreſſing of his Enemies, encouraging of his Friends, and chiefly in the Purſuit of the Rights of his Crown, without which he found impracticable for himſelf to govern, or his Subjects to be governed by him. What Methods he took to compaſs all theſe I have related at large; but to ſhew how much he had that Royal Vertue, Juſtice, at Heart, and with what Difficulty he got it eſtabliſhed in the Kingdom, I ſhall in this Place acquaint my Reader with what moſt Authors relate, *viz.* That in the firſt two Years of his Reign, he was neceſſitated to cauſe no leſs than 3000 Perſons be executed by the Hands of the Hangman; ſo frequent were Riots, and ſo intolerably had the more harmleſs People been oppreſſed before his Acceſſion to the Government. But when he had let out as much Blood as was neceſſary to ſweeten the Remainder, and thereby brought the Kingdom to Order, Plenty and Peace; his next Buſineſs was to preſerve it in that happy Condition. With which View he enacted many good Laws. I have hinted at ſeverals of them, and ſhall here take Notice of one more, which, as it was then, ſo I humbly conceive would be now of admirable uſe, if not to the learned Body of Lawyers, and others concerned about the College of Juſtice, at leaſt to the Nation in general, of which they make an Honourable, but a ſmall Part. By it, not only they who had any Suit at Law, but alſo their Advocates or *For-ſpeakers*, as they are called, were obliged, before the Proceſs could be ſuſtained or commenced, to ſwear, That in their Opinion, the Cauſe for which they were to plead, was juſt in it ſelf; That they ſhould ſay nothing but Truth, in Order to make it appear ſuch to the Judges; That they ſhould not go about to corrupt the Judges with Promiſes or Bribes; That they ſhould make uſe of no falſe nor frivolous Arguments; and laſtly, That they ſhould by no Means offer to delay or retard the Deciſion of the Caſe in Debate. This, I take it, is the Senſe of the following Rhimes, (*a*) which by the Act were declared to contain the Subſtance or Import of the Oath:

His moſt remarkable Laws,

Concerning Juſtice.

Illud juretur, quod lis ſibi juſta videtur;
Et ſi quæretur, verum non inficietur:

(*a*) Black Acts, f. 21. c. 139.

Nil promittetur, nec falſa probatio detur ;
Ut lis tardetur, dilatio nulla petetur.

By this we may ſee how ſollicitous King *James* was to prevent all the Frauds and Tricks of Law ; and how cheap and how ſpeedily he would have had Juſtice to be adminiſtred to his Subjects.

And Parliaments.

Another Argument of his tender Regard for their Eaſe and Welfare may be brought from other two, in ſome Meaſure contradictory, Statutes, which were made in his Reign. By the firſt *(a)* made in *March* 1425--6, not only the Prelates and Earls, but alſo all Barons and Free holders were commanded to give their perſonal Attendance in the *King's Parliament, or general Council* : And the Reaſon given for the Act is, becauſe they *are holden* or obliged ſo to do by the Tenor of their Holdings. According we find, that they who failed in the Performance of this Duty, for their *Contumacy*, as the Records have it *(b)*, fined in the Sum of ten Pounds. From whence it is evident, that the Kings of *Scotland* had of old an undoubted Right to exact the perſonal Service and Attendance of his own Tenents *in capite*, as well in his Council as in his Army ; and that, tho only ſome few Commiſſioners were as now elected to appear for the reſpective Burghs and Cities that chooſe them ; yet it was the Duty of all the Barons and Free-holders, *from the loweſt to the greateſt*, to aſſiſt the King their Maſter, not only with their Swords in the Field, but alſo with their Advice in Council and Parliament. A noble, but juſt Prerogative which guarded the King and his Laws againſt the Cabals and Intrigues of a few deſigning Men, (and ſuch are never wanting in all Aſſemblies whatſoever) by a vaſt Majority of others who, ſince they were his immediate Vaſſals, and knew that their own Property depended upon his Prerogative, conſequently, that the Rights and Welfare of both were inſeparable, could neither be bribed nor ſeduced into ſuch Deſigns or Practices, as might endanger them : For what Treaſure could bribe all or moſt part of the Landed Men of the Nation ? And what ſtrange Deluſion could induce ſo many Perſons of Honour and Senſe to undermine the Throne, by which they ſtood ? But the Neceſſity of this King's Affairs, who ſtood in need of the Conſent and Advice of a great Majority, to forward the Reſumptions he had a Mind to make, and which he knew muſt needs be diſpleaſing to a powerful few, obliged him to hold more Parliaments during the 13 Years of his Adminiſtration, than perhaps had met together ſince their firſt Inſtitution, I mean ſince the Days of King *Robert Bruce*, who firſt allowed his grand Council to be called, after the *Engliſh* Faſhion, Parliaments *(c)*, adding a third Eſtate of Burgeſſes or Commoners to the Prelates, Earls and Barons, who, ſince we know any Thing certain concerning theſe Aſſemblies, ſeem to have always had Acceſs to them. But as the Wants

(a) lb. f. 9. c. 58. (b) lb. f. 15 and 17. (c) See Vol. I. p. 634, 635.

Wants of King *Robert* occaſioned that great Innovation, which has ſince furniſhed Republican Writers with ſo many miſtaken Proofs of the Antiquity of popular Power; ſo the frequency of Parliaments called by King *James*, made way for another that was no leſs remarkable. A great many Barons or Free-holders found too chargeable for their ſmall Eſtates, to give their Attendance in Perſon, ſo often as they were obliged; for which Reaſon, the gracious Prince compaſſionating their Circumſtances, was pleaſed by an Act of Parliament (*a*) held in *March* 1427-8, to diſpenſe with their Duty in that Reſpect; ſo that inſtead of all of them being poſitively commanded, as before, to appear in Perſon, each Shire was allowed to chooſe two or more of their Numbers, conformably to the preſent Practice. Yet I know no Reaſon, unleſs [illegible]ſcription be thought one, why the Kings of *Scotland* might not [illegible] if the late Treaty of Union did not take Place, ſummon, [illegible]en compel all, or as many as they pleaſed of the Barons of the Nation, to appear, ſit, and vote in Parliament, notwithſtanding this Act which only diſpenſes with, but does not at all free them from their Attendance in Caſe it be required. To me this ſeems evident from the Words of the Act it ſelf; but more particularly from the laſt Clauſe of it, importing that the King will have *to be received, and ſummon to Council and Parliament, by his ſpecial Precept*, all Biſhops, Abbots, Priors, Dukes, Earls, *Lords of Parliament* and *Banrents*. What is meant by *Banrents* I have not throughly examined; but I ſuppoſe *the Lords of Parliament* are all ſuch as the Sovereigns, in Purſuance of this Reſervation, have from time to time ſingled out from the Body of the Gentry, and dignified with the Title of Lords, Barons, an Order of Peerage which commenced in *Scotland* about this Time, and obtained an hereditary Right to ſit as the Prelates, Dukes and Earls were always wont to do in Parliament. But this is no Impediment why the Sovereign may not exact at any Time the Parliamentary Service due to him from all or any of his other Barons, without ranking them among the Number of hereditary Peers. I am ſure there is no Law to the contrary: Nay, we find that the very next Year after this diſpenſing Act was made (*b*), all the Free-holders who held of the King *in capite*, were again ſummoned to appear in Parliament, and that ſuch as came not, were fined for their *Contumacy*, as had been uſual before. The ſame thing was done in a ſubſequent Parliament (*c*) held at *Perth Anno* 1429, and ſucceeding Kings, particularly *James* II. and IV. are alſo found upon Record (*d*) to have called all the Free-holders together upon certain Occaſions. Had King *James* III. Queen *Mary* and ſome others done the like, it is ſcarcely to be doubted, but that the Majority of their immediate Tenents, being, as I have ſaid, too numerous to be baffled, too wiſe to be ſeduced, and rightly inform-

(*a*) Black Acts, f. 17, c. 112. (*b*) Ib. f. 19 (*c*) Ib. (*d*) See their Statutes.

ed of the Matters in Debate, as they muſt needs have been, had they all met together in Parliament, would have ſhewed themſelves willing, as they certainly were able, to have cruſhed in the Bud thoſe Factions and Deſigns, which, by Reaſon of their Diſtance from, and Miſapprehenſion of Affairs, they connived at, or, which is worſe, ſupported, to the infinite Damage both of themſelves and their Sovereigns. From all this it is plain, that Parliaments or grand Councils were not at firſt deſigned to counterballance the Power, but rather to ſupport the Authority of the Sovereign, who having an undoubted Right to call to them, whom and how many he thought fit, could never be out-voted by a contrary Party. I ſay, that he could call to his grand Council or Parliament as many of his immediate Tenents or Vaſſals as he pleaſed; that is, in other Terms, all his Vaſſals and Tenents were by Law and the Tenor of their Holdings, obliged to attend his Summons when required. From whence I hope it does not follow, as ſome People, contrary to all Senſe and Reaſon, would have it, that all his Vaſſals or Tenents *in capite* had a Right to give him Counſel, or, which is the ſame Thing, to ſit in his Parliament, whether he pleaſed or no; and ſince they had no ſuch Right, I ſay again, that the Sovereign could never be out-voted in Parliament: So that this diſpenſing Act made by King *James* I. tho well meant by him, and in ſome Meaſure neceſſary, yet has in its Conſequences proved fatal both to the Crown and Country; neither of which ever was before, (I reckon as far back as Contemporary Writers and Records direct me) or could have ſince been betrayed, if the Senſe of all, or moſt of the Gentry of the Nation, had been asked and acquieſced in; whereas ſince that Time it has been in the Power of one or two Men, to miſrepreſent the Senſe of ſome hundreds, and by Conſequence in the Power of about two hundred to undo both the Crown and Country at their Pleaſure; that is, as often as their private Intereſts or Paſſions prevailed over Reaſon and Right, which how often it has happened, is but too well known: But, as I have obſerved, it never did happen, nor poſſibly could, while the Sovereign was backed by all, or the Majority of his Barons. And this, I take it, is one good Reaſon why there was no national Rebellion in *Scotland*, no ſtruggle about Liberty, Property or Prerogative, till after this King's Reign; who, by diſpenſing with the perſonal Attendance of all more immediately concerned in his Welfare, made way to a new Form of Government by far more liable to Corruption, and much leſs dependent upon him or his Succeſſors. The firſt Inconveniency that appeared upon this Innovation was, that the Peers or Hereditary Members of Parliament, who had but too many Vaſſals and Dependents before, became yet more powerful, being in Numbers very near equal to the elective Part of their *State*, (for ſtill the Nobility and Gentry, or, which is all one,

one, the greater and leſſer Barons were conſidered as the ſame *State*, and by their Wealth and Quality vaſtly ſuperior, got the Aſcendant both within and without Doors; and had they not been curbed by the firſt *State*, conſiſting of Biſhops, Abbots and Priors, who in *Scotland* did ever behave with reſpect to the Government, became their Character, loyally and honeſtly, would have turned all things upſide down, and preſumed, as the *Engliſh* Barons had done before them, to give Laws to their Sovereigns, much ſooner than they did. King *James* was not aware of this Miſchief, and yet, it ſeems that he very much dreaded and endeavoured to depreſs the growing Power of the great Ones (*a*), which was one of the Reaſons why he forfeited the Earl of *March*, impriſoned the Earl of *Douglas*, put the Duke of *Albany* and his Children to death, and reannexed ſo many Lands poſſeſt by powerful Families to the Crown; in ſo much, that it was reported he once told the Queen, "He would leave none in the "Kingdom but who might go to Bed with her;" implying, ſays *John Major*, that he deſigned to extirpate the whole Nobility, and to inhanſe their Eſtates to himſelf. But the ſame Author aſſures us, that this was a malicious Calumny deſigned to alienate the Affections of the great Ones from him, and to make way for the Murder which his Enemies had meditated, but would never have ventured upon, had they not thought that it would have been acceptable to many. But the Event ſhewed that they were miſtaken, and that, as *Buchanan* obſerves, there is nothing more popular than Juſtice. However, this ſeems certain, that King *James* made too great haſte in the Reformation of Abuſes, and that by letting out ſo much Blood, and by impriſoning, fining, and forfeiting of ſo many Perſons, he created many preſent, and left ſome hereditary Diſcontents in the Nation. He could not but know, that Men do not willingly part with what they are wont to conſider as their own. Since he therefore knew that his ſevere Juſtice, however neceſſary and beneficial to the Nation in general, had nevertheleſs diſobliged ſeveral great Families, he ought, in the Opinion of the Author I laſt cited (*b*), to have ſecured himſelf againſt their Reſentments, by keeping a faithful Lifeguard about his Perſon. Neither ſhould he have been ſo familiarly converſant, as he was, with the Grandſon of the Earl of *Athole*; it being dangerous for Sovereigns to give the leaſt Opportunity of committing a Villany, to ſuch as by it may poſſibly ſucceed them. And thus I think, that I have given a full Account of the Life, Death, Actions and Character of this eminent Prince. Mr. *John Johnſton* compares, or rather prefers him, as well he may, to *Cæſar*, in the following Verſes;

(*a*) Joan. Maj. f. 135. (*b*) Ibid.

Quam vario quondam cecidit ſub vulnere Cæſar,
Vulnere tam vario Rex Jacobus *obit.*
Ille malus patriam male perdidit, & perit una:
Optimus hic patriam ſervat, & occubuit.
Diſparibus factis paria ergo fata? Supremo
Nullus ab eventu facta notanda putet.

A more fit Compariſon might, in my Opinion, be drawn between him and four Ancient Worthies, *Agis* and *Cleomenes* Kings of *Sparta* or *Lacedemon*, and the two *Gracchi Tiberius* and *Caius*, Citizens of *Rome* (*a*). But I will not inlarge further.

His Iſſue. He was buried in the Church of the *Chartreux* at *Perth*, and left behind him (*b*) one Son King *James* II. and five Daughters; *Margaret* married to *Lewis*, Dauphin, afterwards King of *F*[illegible] by the Name of *Lewis* XI. *Iſabel*, to *Francis* I. Duke of *Bri*[illegible] *Jean*, who was promiſed to the eldeſt Son and Heir of the [illegible] of *Savoy*, and thrice married, firſt to *James* Earl of *Angus*, then to *Alexander* Earl of *Huntly*, and laſtly to *James* Earl of *Morton*; *Helenor*, to *Sigiſmund* Duke, or according to others, Archduke of *Auſtria*, and *Mary*, to *John* Lord of *Camphire* and *Zealand*.

His Device. His Impreſs or *Device* (*c*) was a Branch of Thiſtles with a Sprig of Rue. The Word, *Pour ma Defence*, intimating thereby that he feared not the Power of any foreign Prince, ſince he leaned on the Succour and Alliance of the *French*. Some have written, that his Predeceſſor *Achaius* took up the ſame Motto, when about the Year 787 he made the famous League with *Charlemaign*.

(*a*) See Plutarch's Lives (*b*) Crawf. Hiſt. of the Stew. p. 25. (*c*) Keepe's Geneal.

THE

THE Life and Reign OF King JAMES II. THE *Hundredth and Third King of* Scotland.

Volume Second.

BOOK II.

TILL now, I muſt own, that amidſt the many Difficulties of the long Journey which I have made, and innumerable Labyrinths through which I have paſt in Search of Truth, and with Deſign to illuſtrate the glorious, but much obſcured or quite forgotten Actions of my Countrymen, I have been always attended with an inward Satisfaction of Mind, ſo great, that to entertain it in my own Breaſt, or rather to ſhare it with my Readers, I have thought no Labour uneaſy. It is true, that I have not been able to reſcue any Part of our Hiſtory anterior to the Reign of *Malcolm Canmore*, from all the falſe Notions and Prejudices, the Ignorance of all, and Malice of ſome Writers have made it liable to; but I have done, even in that reſpect, what was poſſible, that is, I have from foreign Authors, and domeſtick Monuments, ſuch as *Roman*, *Daniſh* and *Scots* Camps, Fortifications, Medals, Pyramids, Buildings, *&c.* demonſtrated the remote Antiquity, Martial Atchievements, and invincible Fortitude of our Nation in general: And tho I could not aſcertain the Truth of every particular Tranſaction related by *Scots* Authors, yet I have demonſtrated the Falſhood, at leaſt Uncertainty, of ſuch of them as tend to propagate ſeditious or antimonarchical Principles and Practices among us; in ſo much, A.D. 1418.

that I hope no ſober Man will henceforth attempt to prove either the Diſloyalty of the *Scottiſh* Nation, or the People's pretended Right to arraign, ſentence and puniſh Sovereigns, from ſo diſtant, ſo dark, and probably ſo falſe Precedents, as are to be found in *Boethius*, *Buchanan*, and thoſe that have copied after them. For my part, as I ſaw no Ground to give more than a doubtful wavering Belief to that Part of our Hiſtory, ſo I inſiſted upon it but juſt as long as I thought neceſſary to render it more certain, from the better Vouchers whom I have quoted: But when I paſt from the Twilight, or rather Obſcurity of ancient Times, to the Sunſhine of modern Ages, I mean, as ſoon as I had contemporary Authors, or unqueſtionable Evidences to direct me; then indeed I thought my ſelf obliged to enlarge upon the many Diſcoveries they led me to, and have had the comfortable Pleaſure to ſee Independency, Loyalty, Wiſdom and Magnanimity of our immediate Anceſtors, and withall, the uninterrupted hereditary and legal Succeſſion of about Fourteen brave, and for the moſt part fortunate Monarchs, in ſuch a Light, as I flatter my ſelf no after Calumny will be able to darken. I was not at all diſmayed to find, that the Nation was twice in a State of Dependency, about four times ſubdued, and much oftner over-run, pillaged, laid waſte and depopulated. I was not dejected by the Captivity of ſome of our Monarchs, nor by the Rebellion and Contumacy of a few private Perſons among us; nor was I near ſo much diſpleaſed with the long and unhappy Contention about the doubtful Right of the *Bruce* and *Baliol*, as I was delighted and charmed with the Heroick Atchievements of the firſt, nay, and of all theſe Worthies who eſpouſed the better Cauſe: And while I ſhewed by what Means and Inſtruments all our Kings, from King *Malcolm* III. down to this time, either maintained their own and their People's Rights, or retrieved them when apparently loſt, I had no leſs Pleaſure in writing, than theſe immortal Men had in doing ſo great and good Things. But now that I draw nearer to our degenerate Age, and am about to diſcloſe the Seeds of thoſe almoſt hereditary Diſcontents, Factions, Inſurrections, and, to ſay all in a Word, National Rebellions, by which we have of late been ſo often undone, I am affrighted at the ungrateful Task, being unable to enter upon it without Indignation and Sorrow; yet we ſhall ſee, that the Nation in general was as yet in a great Meaſure untainted, and that, as they all continued to be brave, ſo the moſt part of them were ſincerely loyal, while the gallant Prince, whoſe Life I am now to write, was at their Head.

K. *James* II. Crowned at *Holy-rood-houſe.*

He was not much above ſeven Years old, I reckon from the Month of *October* 1430, in which our Authors ſay that he was born, when the Officers of State called a Parliament in his Name, which accordingly met at *Edinburgh* (a) on the 20 of *March* 1437-8, a compleat

(a) See the black Acts f. 26.

pleat Month and no more, after the Murder of his Royal Father. How ſeverely that Parliament cauſed the Murderers to be puniſhed, I have already told, and need not to repete. Their next Buſineſs was to aſſiſt at the Coronation of their new Sovereign, who being ſo very young, and conſequently unfit to be carried to *Scoon*, the ordinary Place appointed for that Solemnity, was therefore by the three Eſtates attended from the Caſtle of *Edinburgh*, in which he had been brought up from his Birth, to the Abbey of *Holy-rood-houſe*, and there crowned with the greateſt Applauſe and Magnificence imaginable, *to the Glory of God*, as the Record has it, *and the univerſal Joy of all Sorts of People*. Indeed the People thought themſelves very happy, that there was yet an Heir male of the beloved Race of the Royal *Stewarts* in Being; and they doubted not, but that Time and Education would improve his budding Parts, and aſcertain the Hopes which they had conceived of him. This, and this alone was capable to alleviate their Grief for the irreparable Loſs of his Father, and to divert their Thoughts from the Terrors and Miſeries by all Nations found inſeparable from the Nonage of Sovereigns. However, the Parliament did what was in their Power to prevent them. *Archbald* Earl of *Douglas* and Duke of *Tourain*, the greateſt Man in the Nation, and one of the greateſt Subjects in Chriſtendoom, finding himſelf diſcountenanced by the late King, had left the Kingdom; whoſe aſpiring Genius, great Wealth, many Vaſſals, and above all, the Merits of his Family, had probably prevailed with the States to conſtitute him Guardian or ſole Regent of *Scotland*: But they knew the Reaſons why he had loſt the Favour of the late King, whoſe only Heir and Dominions they had no Mind to truſt to his Care, nor indeed to that of any one who could poſſibly entertain the leaſt Thought of attaining to ſovereign Power. They therefore neglected him entirely, ſay all our Authors: But theſe Authors are in this, as in many Things elſe, quite miſtaken; for I have ſeen two original Papers (*a*) with the Great Seal appended to them, the one dated at *Edinburgh* the 28th of *November*, and the other the 8th of *December*; by both which it appears that a Parliament or general Council of the three Eſtates was held at *Edinburgh* on *Thurſday* the 27th of *November* 1438, by the moſt excellent Prince and Lord *Archbald* Duke of *Tourain*, Earl of *Douglas* and *Longoville*, Lord of *Galloway* and *Annandale*, and Lieutenant General of the Kingdom. It alſo appears from ſeveral Acts of Parliament (*b*), that there was a Lord Lieutenant at this Time; from whence it is evident, that the Earl of *Douglas* muſt have been the Man; ſo that our Authors have fallen into an inexcuſable Blunder, by telling us as they do, that he had no Share in the Adminiſtration of

Scots Authors confuted.

Earl of *Douglas* made Lord Lieutenant.

(*a*) Annes Dominum de Gray. (*b*) Black Acts, f. 26. c. 3 and 4.

Affairs, which, and they, no leſs ignorantly, was divided between Sir *William Crichton* as Chancellor, and Sir *Alexander Livingſton* of *Calendar*, as Governor of the Kingdom. I find this laſt called (*a*) Keeper of the King's Perſon; but it does not appear from any Record or Act of Parliament, that any one during this King's Minority had the Title, much leſs the Authority either of Governor or ſole Regent; the Miſmanagement of the two late Governors, Duke *Robert* and Duke *Murdoch*, making it ſeem unfit for any to ſucceed them, either in thoſe high Titles, or the Power annexed to them. For which Reaſon, the Lord Lieutenant, Chancellor and Keeper, were to receive their Inſtructions from, and be accountable to the Parliament; as was in it ſelf moſt reaſonable. For ſince the late King was dead without making a Will, or conſtituting any ſet Form of Government during the Nonage of his Heir, who but the Parliament could take upon them to ſupply that Defect? But the Parliament could not meet ſo often as the Exigency of Affairs required, and therefore appointed the above-mentioned Perſons to govern during the Intervals of their ſitting.

One of the beſt Things they did, was the ſecuring of the afflicted Nation againſt Invaſions from *England*: For when King *James* I. died, there was an open War between the two Nations, and it is Matter of Wonder that the *Engliſh* did not improve the Opportunity to their great Advantage; but before his Death, he had taken Meaſures for bringing about a Truce, having (when he was at *Edinburgh*, on the laſt Day of *November* 1437, probably after his Return from the Siege of *Roxburgh*) (*b*) commiſſioned *Alexander* Lord *Gordon*, and *Alexander* Lord *Montgomery* Barons, with Mr. *John Methven*, and *John Vaus*, to go to *England*, in Order to negotiate a Truce. The Biſhop of *Brechin*, Sir *Walter Ogilvy*, and Sir *John Forreſter* (*c*) had ſome time before obtained a ſafe Conduct from King *Henry* for the ſame Purpoſe; and it is probable that all, or moſt of theſe Gentlemen, remained a great Part of the Winter at *London*, where it is certain, that, notwithſtanding what had happened in *Scotland*, the Truce was renewed on the laſt of *March* 1438 (*d*), *being the firſt of King* James II. *his Reign*, and that it was to laſt nine full Years; that is, from the 1ſt of *May* 1438, till the 1ſt of *May* 1447. The Conſervators of it on the Part of *England*, were the Dukes of *Gloceſter* and *Norfolk*, the Earls of *Sarum*, *Northumberland* and *Weſtmoreland*, *John* de *Grayſtock*, Sir *Henry Fenwick*, &c. And they for *Scotland* were *Archbald* Duke of *Tourain* and Earl of *Douglas*, the Earls of *Angus*, *Crawford* and *Annandale*; the Lords of *Gordon*, *Dirlton*, *Somerville*, *Herries* of *Carlaverock*, *Montgomery*, *Crichton*, *Hales*, Sir *Archbald Douglas* Sheriff of *Teviotdale*, Sir *Thomas Kilpatrick*, and Sir *Walter Scot*. Soon after there was

Truce with *England*.

(*a*) Chart penes Comit. de Linlithgow. (*b*) Fœd. Angl. Tom. 10. p. 679. (*c*) Ib. p. 677. (*d*) Ib. 687, 688, 689, &c.

alſo another Congreſs (*a*) appointed to be held for fixing the Limits or Marches of the two Kingdoms, and the Commiſſioners were the ſame I have but juſt now mentioned; ſo that *Scotland* was in no great Danger of being diſturbed by a foreign Power during the Adminiſtration of the preſent Miniſtry: An Advantage, which, if I am not miſtaken, was equally owing to their Prudence, and to the declining State of the *Engliſh* in *France*. Yet that brave Nation had ſtill ſome footing there; nay, this very Year (*b*) they firſt ravaged the Country of *Picardy* about *Amiens* and *Artois*; then paſſing through *Normandy* into the *Maine*, laid Siege to, and took the Caſtle of *Anian*, in which were 300 *Scots* beſides *Frenchmen*. The *Scots* were all put to the Sword, and the *French*, becauſe they had formerly been ſworn to the *Engliſh* Government, hung up upon Gibbets. Thus we ſee that the *Scots* were not wanting to their Allies; and that tho they had Peace at Home, yet they were very inſtrumental in carrying on the War Abroad. They had been by far the happieſt and moſt flouriſhing Nation of the three, if they had known how to improve ſo favourable a Conjuncture. Their ancient League and late Alliance with *France* endeared them to the King and People of that Country; in ſo much, that had Commerce and Trade been ſufficiently underſtood, they might have ingroſſed the whole Trade of that Nation; and while our Gentry were learning the Art of War at their Charges, our Mechanicks, Merchants, and Husbandmen might have enjoyed the Fruits of Peace, ſitting and ſeeing at a Diſtance *their old Enemies of* England (for ſo they were then called) firſt loſe all the Lawrels which they had gained Abroad, and afterwards go by the Ears together in a calamitous, but unavoidable Competition, for no leſs than Empire and Sovereignty at Home. This, I ſay, was a lucky Conjuncture of Time and Circumſtances for the *Scots*, had they known how to improve it. But

The *Engliſh* Affairs decline in *France*.

The King was in his Nonage, *and wo unto the Land whoſe King is a Child*: The Chancellor *Alexander Crichton* had the Cuſtody of his Perſon, and kept him, for ought I can ſee, contrary to Law; for I have Reaſon to think that the Parliament had conferred that high Truſt upon Sir *Alexander Livingſton*, elſe it is not to be believed that this laſt would have ventured upon what he did to obtain it. He began the Work by a Stratagem, and doubted not of his being afterwards able to compleat it by Force. The Queen Mother was at this Time entirely in his Intereſt: She grudged that the King her Son was in other Hands, and like to be brought up with Inclinations and Sentiments different from her own; perhaps, ſhe alſo thought, that being ſhut up and narrowly watched in a Caſtle to which few Perſons had acceſs, he was too remote from the Seat of Government and Helm of Affairs. Theſe [illegible]es induced her to go to *Edinburgh*, pretending a friendly [illegible]o; and a longing Deſire of ſeeing her Son. It would have

The *Scots* Miniſtry divide among themſelves.

A.D. 1439.

(*a*) p. 695. (*b*) Echard, p. 491.

been barbarous in the Chancellor, or any Man, to have refuſed her Acceſs; her Behaviour, Diſcourſes and Retinue being ſuch as left no room for Miſconſtructions; ſo that ſhe had full Freedom to enter and ſtay in the Caſtle for ſeveral Days: During which Time, ſhe cajoled the young Prince into a blind Obedience to her Will, and the old Stateſman into a firm Belief that ſhe deſigned nothing but what ſhe own'd. At length ſhe told the Chancellor, that ſhe would ſtay but one Night longer in the Caſtle, being the next Day to ſet out early in the Morning for *Whitekirk* in *Buchan*, to perform a Vow which ſhe had made for the Health of the King, whoſe Perſon ſhe earneſtly recommended to his Care till ſhe ſhould return. He aſſured her of his Fidelity in that and all other Reſpects, wiſhed her a good Journey, and ſo left her, as he thought, to her Devotions and Reſt. Thus all Eyes, but thoſe of a truſty few, being lulled aſleep, the King was cautiouſly pinned up among the Linen and Furniture of his Mother in a Cheſt, then convoyed to *Leith*, and from thence by Water to *Stirling*, where the Lord *Livingſton*, and they of his Party, received him with great Joy, and all the Demonſtrations of Reſpect and Duty they could deviſe. So far did the Stratagem ſucceed, to the great Confuſion and Diſappointment of the Chancellor. But this was not all; he muſt alſo be diſlodged from the Caſtle of *Edinburgh*, and entirely diveſted of his Office. To effect this, the Lord *Calendar* or *Livingſton* (for I ſhall call him indifferently by either of theſe Names) raiſed an Army, and marched to *Edinburgh*, in order to beſiege him in the Caſtle: And he being now deprived of his great and only Defence, the King's Preſence, and (tho but a Boy;) inviolable Perſon, was fain to have Recourſe to the Earl of *Douglas*, who alone was able to preſerve him in his Office and Dignity. But the Earl rejected his Suit, and cauſed tell him, *That both he and the Lord* Calendar *were Knaves, who, regardleſs of the Publick, contended for their private Intereſts, and that in ſuch a Struggle no Blow could be loſt: For his Part he would concern himſelf with neither of them, but ſhould rejoice if the Kingdom were rid of both.* This harſh Anſwer had quite another Effect than the Earl deſigned; for it occaſioned the two Competitors to think of an Accommodation. They made a Truce for two Days, and meeting together, concluded, what was true, That the Safety of both conſiſted in their mutual Agreement. Upon which the Keys of the Caſtle were by the Chancellor delivered to the King, who ſupped in it that Night, and the next Day, as had been before concerted, confirmed the one in his Office of Chancellor, and the other in that of Keeper or Guardian of his Perſon. Being thus reconciled, they reſolved to bend their united Forces and Authority againſt the Earl of *Douglas*, whom they conſidered as their common Enemy; but he died in the mean Time of a Fever at *Reſtairig*. So ſay our Authors, who generally diſmiſs him with the Character of a turbulent and ambitious Man, who, without Aut-

The King ſtollen from the Caſtle of *Edinburgh*.

disturbed the Government by many Acts of Violence, and affronted the Lords *Crichton* and *Livingston*, whom they suppose to have been the lawful Governours. But since I have demonstrated the contrary, by shewing that *Archbald* Earl of *Douglas* and Duke of *Turain* was actually Lord Lieutenant immediately under the King, and by consequence superior to them, as well by his Authority as Power; is it not more reasonable to think, that he must have died before this fell out, and that his Son Earl *William*, who succeeded to his Estate and Honours, but not to his Office of Lord Lieutenant, must have been the Person who gave that hasty Answer, which I have just now related, to one of their Messages, and against whom they resolved to bend their united Forces?

Scots Authors corrected.

William Earl of *Douglas* succeeds to *Archbald* his Father.

That young Nobleman not being able to obtain his Father's Post, no doubt ascribed his Disappointment to the Lords *Livingston* and *Calendar*, who being upon so many Accounts inferior to him, were yet placed in Authority above him. He could not brook so signal an Affront, which he conceived was not only injurious to himself, but also reflected Disgrace upon the many Merits of his heroick Progenitors, who, as in time of Peace they had for the most part been nearest to the Helm of the State, so, when Wars broke out, and Danger was threatned, had ever been the foremost and first ready to oppose it. These and the like Considerations filled his youthful Mind with Sentiments of Anger, Indignation and Revenge; and it is probable, that he would have openly rebelled against the Government, if he had had but a Pretence for doing it. What he had a Pretence for he did. He retired to his Castles in the Country, called all his Vassals and Tenents together, and discharged them from giving Obedience to any Precepts, Commissions or Proclamations but his own; alledging, that by the Grants of former Kings he had a Right to redress all Grievances, decide all Controversies, and punish all Offences within his own Lands. By these means he endeavoured to draw the King's Subjects to his Courts of Justice, and would not suffer his Dependants to attend the Courts and Judicatories of the King; in so much, that these last were cruelly oppress by the Depredations which the former made daily upon them; the Borderers, by reason of their Neighbourhood to the Enemy's Country, accustomed to Rapine and Plunder, being purposely let loose and encouraged to ravage and destroy their own.

His seditious Practices.

The bad Example of the Earl of *Douglas* was followed by many, who despising the Government, presumed to attempt whatever their Interests, Resentments or Inclinations led them to; in so much, that petty Wars were carried on by jarring Families, and Robberies and Slaughters committed in most parts of the Kingdom. The last Year *Thomas Boyd* of *Kilmarnock* (*a*) had killed Sir *Alan Stewart* of *Darnley* treacherously, they having agreed to a

Great Disorders in the Country.

(*a*) Buchan. p. 366.

Truce, and met in order to a final Accommodation of their Differences at *Polmais-thorn* between *Linlithgow* and *Falkirk*. And this Year *Alexander Stewart* of *Beilmouth*, Sir *Alan*'s Brother, with his Friends and Followers, fairly engaged and defeated the *Boyd* and his Men, leaving himſelf dead upon the Spot. Much about the ſame time, or not long after, (for Authors do not tell the preciſe time,) a Body of *Iſlanders*, commanded by two noted Robbers (*a*) *Lachlan Mackleen* and *Murdoch Gibſon*, made a Deſcent upon the Continent, and with inexpreſſible Cruelty and Avarice ravaged the Country, pillaging, burning and murdering wherever they came, without Diſtinction of Age or Sex, Profeſſion or Quality. Among others, *John Calhoun* of *Luſs*, a conſiderable Gentleman in *Lennox*, fell a Victim to their lawleſs Rage. *Boethius* ſays, that he died in an Engagement, bravely endeavouring to withſtand their Fury; but according to *Buchanan*, he was baſely murdered, the Robbers having called him out from *Inchmerin* in *Lochlomond* to a Conference, and given him their Faith for his Security.

Theſe and the like Outrages, which, as the Miniſtry thought, were in a great Meaſure owing to the bad Example or Connivance of the *Douglaſſes*, occaſioned a Parliament to meet at *Stirling* on the 2d of *Auguſt* 1440; in which three remarkable Statutes were made (*b*). By the firſt, the Freedom of the Church was aſſerted, and ſuch as ſhould offer to moleſt Churchmen in their Perſons or Livings, *made liable to all the Penalties God and our Sovereign Lord the King's Majeſty* (as the Record has it) *could inflict*. By the ſecond, Juſtice-Airs were ordered to be held twice in the Year on both ſides of the *Scots Sea* or River of *Forth*, and the King himſelf was to be in each place where the Juſtices were to ſit, or at leaſt, as near to theſe Places as his Council ſhould think neceſſary. The third begins thus: *The three Eſtates have concluded, that our Sovereign Lord the King ride through all the Realm*, upon Advice of any Rebellion, Slaughter, Burning, Robbery, *&c.* in order to puniſh Tranſgreſſors and redreſs Injuries; and ends with a poſitive Order to all the Barons, to aſſiſt him with their Perſons and Goods, as often as required by Advice of his Council. In the firſt of theſe Acts we ſee the *King's Majeſty* is as much honoured and dignified as can be: But the laſt two are villanouſly made uſe of by Men of rebellious Principles, to prove that the Parliament had in thoſe Days a commanding Power over the Sovereign; whereas nothing does more evidently demonſtrate the high Reſpect and Veneration paid by the Parliament and People to the Sovereign, than theſe very Acts: For King *James* was at the time but about 10 Years old; and yet the Parliament thought that his Preſence was ſufficient to curb Rebellions, redreſs Injuries and puniſh Offenders: A plain Proof that they underſtood his Perſon to be ſacred, and his Authority unqueſtionable. Elſe why would they have

A.D 1440. A Parliament called.

Antimonarchical Authors confuted.

(*a*) Boet. f. 360. Buchan. p. 367. (*b*) Black Acts f. 26, 27.

ſired that a Boy, who himſelf ſtood in need of Guards and Guardians, ſhould be preſent at the Adminiſtration of Juſtice, and ride through the Kingdom for Purpoſes ſo much above his Capacity. But the Parliament ordains the King to be preſent at Courts of Juſtice, and to ride through the Kingdom. Not at all: They only ordain Courts of Juſtice to be held, and that the King be preſent, or as near to them as his Council ſhall think proper, for giving Countenance and Authority to the Judges. Neither do they command, but *conclude*, that is, think it neceſſary that the King go in perſon to hinder the Progreſs of thoſe Crimes, which nothing but his Authority or perſonal Appearance could put a Stop to: And then they order all to be aſſiſting to him *with their Lives and Fortunes*; and leave the whole *to the Advice of his Council.* Beſides, it was but reaſonable, that the People ſhould be taught to obey and honour their King tho but a Child; and that he ſhould, from his very Infancy, be brought up in the Arts of Government and Exerciſe of Power. Had he been of Age, the Parliament might, with his own Conſent, (for without it they could do nothing,) have made the ſame Acts; which being rightly conſtrued, tend more to the Exaltation, than the Depreſſion of Majeſty: But ſince he was a Child, even his Governour, if he had had any, would not have been quarrelled for preſcribing Rules to him. But the Parliament was ſo tender of him and his Authority, that they firſt gave him a Lieutenant in place of a Governour, and when the Lieutenant died, reſerved to themſelves the ſole Right of governing his tender Years, and of inſtructing and training him up betimes, in the Adminiſtration of Juſtice and Suppreſſion of Riots; than which they could do nothing more dutiful to him, nor more advantageous to his People. I am nevertheleſs inclinable to believe, that the Lord *Calendar*, who had the chief Sway, had more Reaſons than theſe for procuring thoſe Acts to be made in a Parliamentary way. He had cauſed the King to be ſtoln from the Caſtle of *Edinburgh* to *Stirling*, where he himſelf reſided; and the Neceſſity of his Majeſty's being preſent at his Courts of Juſtice and elſwhere, as Occaſion offered, was both a good Excuſe for what had been done, and a Pretence for keeping the Sovereign in his own Cuſtody, in order to countenance his After-actions: For he became now more imperious and preſuming than ever, as being aſſured that none would dare to thwart or controul him; in ſo much that he created many Enemies to himſelf, and loſt ſome of his faſteſt Friends, among the reſt the Queen-Mother. She had married Sir *James Stewart*, commonly called the *Black Knight* of *Lorn*, a Gentleman honourably deſcended (*a*) from that Branch of the *Stewarts*, known in *Scotland* by the Title of Lord *Darnley*, and in *France* by that of *D'Aubigny*; but of no great Fortune, being only a younger Brother of the Lord *Lorn*. However ſhe liked him, and having honoured him with a

The Lord *Livingſton* and the Queen-Mother diſagree.

(*a*) Crawf. Hiſt. of the Stew. p. 82, 83.

And with her Husband the *Black Knight* of *Lorn* is impriſoned.

Share of her Bed, thought him thereby entitled to a Share in the Government. But the Lord *Calendar*, inſtead of preferring him to Places of Profit and Truſt, as the Queen expected, ſhut up both him and his Brother *William* in Priſon, upon ſuſpicion or Pretence, that they were carrying on I know not what Intrigue with the Earl of *Douglas*; and ſome ſay, that he alſo committed the Queen to a narrow Apartment in the Caſtle of *Stirling*. This was certainly a wrong Step, which, as it incenſed her to the higheſt Degree, ſo it could not be obliging to the King her Son. However, they were after ſome Months Confinement ſet at Liberty by the Mediation of the Chancellor and Lord *Gordon*, who became Sureties for their good Behaviour: But Women, eſpecially of that Quality, muſt have more than common Vertue, if they prevail upon themſelves to forget ſuch Injuries, whether deſerved by them or not. The Queen was a very good Chriſtian, for ought we know, but ſhe was none of thoſe Saints who triumph in Perſecution, and glory in being affronted. On the contrary, ſhe reſolved upon Revenge; and being as yet Miſtriſs of her Son's Inclinations, very ſoon brought about a ſecond Turn of Affairs at Court: For while the Lord *Livingſton* was at *Perth* buſied about the Affairs of the Publick, ſhe adviſed the Chancellor of the wiſhed for Opportunity he had of regaining the Perſon, and conſequently the Authority of his Royal Pupil. To be ſhort, the Deſign was ſo cloſely and dexterouſly carried on, that one Morning, as the King was hunting in the Park of, or Fields near to *Stirling*, his ſmall Retinue were on a ſudden ſurrounded with a Body of about 4000 Horſe commanded by the Lord Chancellor in Perſon. Some thought it their Duty to reſiſt, and prepared accordingly for Action; but *William Livingſton (a)*, the eldeſt Son of the Lord *Calendar*, would by no means comply with ſuch dangerous Meaſures. It was poſſible, that the King's Perſon might ſuffer in the Scuffle; and not at all probable, that he could be reſcued from ſuch a Multitude of Men well mounted and compleatly armed: Neither was it certain whether the Chancellor had not his Highneſs's Orders, or at leaſt Conſent, for what he did. So the King was carried off without any Oppoſition made by his Retinue, or Reluctancy expreſt by himſelf. We may be ſure, that the politick Chancellor would not fail to give him many good Words, which being backed by the flattering Huzza's and loud Acclamations of the Citizens of *Edinburgh*, to which Place he was conducted, made him not only eaſy, but well pleaſed with the Change of his Reſidence. The Lord *Calendar*, upon Advice of it, was aſhamed and ſtunned no leſs than the Lord Chancellor had formerly been, when he was trickt in the ſame manner. But what is it he could do, either to gratify his Deſire or Revenge, or to repair the Loſs which he ſuſtained both in his Reputation and Intereſt? His ſingle Power was not ſufficient to

The King taken out of his Keeper the Lord *Livingſton*'s Hands by Chancellor *Crichton*.

(a) Boet. p. 361.

to vye with that of the Chancellor, when countenanced, as he now was, by the Authority of the King. The Queen Mother had been ſo lately, and ſo highly offended, that it was in vain to hope for a Reconciliation with, much leſs Aſſiſtance from her: And the young Earl of *Douglas* was ſo intolerably arrogant, that, if application ſhould be made to him, it was certain that he would return a more diſdainful Anſwer, than he had made on the like Occaſion to the Chancellor. He did what was certainly moſt expedient both for himſelf and the Publick: For wiſely conſidering that the Chancellor could not more probably ſtand his Ground amidſt ſo many Difficulties without him, than he had done without the joint Aſſiſtance of the Chancellor; he concluded him capable of being wrought upon into Terms of Accommodation; and being informed (*a*) that *Henry Lichton* Biſhop of *Aberdeen*, and *John Innes* Biſhop of *Murray*, two prudent and pious Prelates, conſequently fit to be Mediators in ſuch a Caſe, were accidentally at *Edinburgh*, he alſo went thither, with a peaceable Diſpoſition, and no more than his ordinary Attendance. The Prelates, as he expected, did their Duty; that is, they brought both Parties to a perſonal Conference in the Church of St. *Giles*, and finding them pliable to Reaſon and Equity, at length effected an entire Reconciliation between them, upon Condition, ſay our Authors, that both ſhould continue in the Miniſtry, and the King ſtay at *Edinburgh* with the Chancellor, as in the Beginning of his Reign. That by this Agreement his Majeſty was to ſtay there for the moſt part, may be true; but that *Edinburgh* was to be the only Place of his Reſidence, is not probable: For if ſo, he could not ride through the Realm, nor be near to the different Places where Courts of Juſtice were to be held, as the Eſtates aſſembled in Parliament had lately adviſed and thought expedient, for *the common Profit and Good of the Kingdom*. Beſides, I find, that not long after this, *viz.* in *November* 1443 (*b*), he was actually preſent and *preſided in Perſon* (as the Record has it) at a Parliament held in *Stirling*; ſo that he could not be abſolutely confined, as in the Beginning of his Reign, either to the City or Caſtle of *Edinburgh*.

The Lords *Livingſton* and *Crichton* reconciled.

The two prime Miniſters of State being thus a ſecond time reconciled, and their old Friendſhip reſettled upon new, but more ſolid Foundations; it was hoped that their joint Counſels (for they were both Men of admirable Parts and great Experience) would ſoon remove all the Cauſes and Occaſions of Contention, by which the State had till now been ſo miſerably rent, to the Ruin of many, and Oppreſſion of all, who were not themſelves guilty of the Riots committed. The proper Remedy of ſuch a Diſeaſe was only to be found in the grand Diſpenſatory of the Nation, a Parliament. The two Rulers accordingly appointed one to meet at *Edinburgh*, (*c*) whither not only the ordinary Members, but alſo whole

(*a*) Boet. f. 361. (*b*) Black Acts, f. 27. (*c*) Buchan. p. 371.

Counties (as if they had a mind to remove their Habitations) reſorted; in ſo much, that the very Sight of ſuch a promiſcuous Multitude, who all complained of the moſt horrid Injuries, was moving. Parents bewailed the Loſs of their Children; Children that of their Parents; the crying Widows and naked Orphans were numberleſs: Poverty, Famine, Diſeaſes and Death ſat on the Faces of all; and the Bodies of ſeverals were diſfigured with Lameneſs and Wounds. One would have thought, that the whole Kingdom had been but one City juſt then taken by Storm, and after a long Siege reduced to the laſt Extremities of Famine and Want; or that the Country was over-run by a prevailing Army of *Norvegians* and *Danes*; the conquering Sword of King *Edward* I. and III. of *England* having done little more Miſchief to the Nation in their reſpective Times, than had been perpetrated of late by the lawleſs Rage of Robbers at Home, and the inteſtine Feuds of Families and Clans. If we may believe *Buchanan* (*a*), who in this one Thing is much contradicted by his otherwiſe great Admirer *David Hume* of *Godſcroft* (*b*), the Earl of *Douglas* was known to be the Author of all theſe Calamities: But ſo formidable was his Power, that no Body durſt openly ſay ſo (*c*). The firſt Thing he did upon his Acceſſion to the Eſtate and Honours, which his noble Anceſtors had ſo long and ſo deſervedly enjoyed in *Scotland*, was to ſend his aſſured Friends *Malcolm Fleming* of *Cumbernauld* and *Alan Lawder* to *France*, who having ſworn Allegiance to that Crown in his Name, returned with a Confirmation of his Right to the Dutchy of *Tourain*; ſo that he was, as his Father and Grandfather had been, Duke of *Tourain* and Earl of *Douglas*. Being by theſe Titles, his vaſt Riches, numerous Attendants, many Flatterers, and young Age, debauched from his good Nature and other Endowments, into an high Opinion of himſelf and his Family, and an equal Contempt, if not of the King, at leaſt of the Miniſtry, he ſet himſelf to act the Sovereign in ſpite of Authority, creating Knights and Counſellors, diſtinguiſhing the Order and Degrees of his Vaſſals, ſo as to imitate the Eſtates of Parliament, and omitting nothing, which in the Eyes of the People, might equal the Majeſty or Grandeur of a King, ſave that he did not preſume to take upon him the Title. But, what was yet more intolerable, he would often go Abroad with a Retinue of no leſs than 2000 Horſe, ſome of them notorious Robbers, Murderers and Out-laws, and at their Head come to Court, and even to the King's Preſence; as if he meant to inſult and trample upon the very Throne. Such Inſolence was not to be endured; but it was a Queſtion by what means it could be ſuppreſſed. The Parliament in general were for a fair Trial, or open Force; and they were certainly in the right. But the Miniſters of State thought otherwiſe: They were mindful of the pernicious Revolt

Vaſt Miſchiefs occaſioned by

The Earl of *Douglas*.

(*a*) Ib. (*b*) See his Life of William VI. Earl of Douglas. (*c*) Buchan. p. 366, 367. Hawthorn. p. 55.

volt of the late Earl of *March*, and knew, that as he had been, ſo the Earl of *Douglas*, whoſe Eſtate lay alſo contiguous to *England*, would be ſupported with Men and Money from thence. Being therefore apprehenſive, both of a civil and foreign War, which ſeemed unavoidable, in caſe the Parliament ſhould proceed againſt the Earl as a Criminal; they thought fit to invite him by flattering Meſſages and repeated Aſſurances of Safety, Friendſhip and Honour, to come and take the Place due to his Quality in the Aſſembly. He ſwallowed down the gilded Bait, and the lurking Hook drew him into the Ambuſh that was laid for him: For he no ſooner ſet out for *Edinburgh*, but the Chancellor prepared to meet him on the Road, in Appearance to do him Honour, but in reality to aſcertain his Ruin. They met at about ten Miles Diſtance from the City, not far from the Caſtle of *Crichton*, whither the Lord Chancellor invited the Earl, and treated him with more Courteſie, Reſpect, and ſeeming Kindneſs, than was fit for the one to ſhew, or the other to accept of. The young and unexperienced Earl was thereby deluded into an abſolute Security. He vainly thought that theſe *Devoirs* were paid to his Merit and Quality: But they about him were of another Opinion; they could by no Means depend upon the exceſſive Civilities of a jealous Stateſman, much leſs of a known Enemy, never yet reconciled, and ſo often, and but ſo lately offended. They told ſo much to their Patron, and bid him have ſome regard, if not to their Advice, at leaſt to that of his dying Father, which was, that he would never expoſe his whole Family to one Stroak of Fortune. But his Deſtiny prevailed over the Prudence of his Friends; for, as if he had longed to be undone, he not only rode, but poſted forward to the Caſtle of *Edinburgh*, where Deſtruction and Death lay in wait for him, with his only Brother the Lord *David Douglas*, and his faſteſt Friend Sir *Malcolm Fleming* of *Biggar* or *Cumbernauld*. They were at firſt received with great Kindneſs, and admitted to the ſame Table where the King himſelf dined; but before the end of the Entertainment, a Bulls Head (in thoſe Days a certain Sign of approaching Fate) was ſerved up. The trembling Gueſts, being ſtartled at the diſmal Sight, got immediately to their Feet, but were by armed Men dragged to the Doors and there unmercifully beheaded, to the great Sorrow and Diſſatisfaction of the young King, who like a good natured Boy, as he was, (being very far from the Age of Man, as *Buchanan* and ſome others falſly inſinuate,) wept bitterly; for which the Chancellor ſeverely chid him, aſſerting that his Throne was unſecure while ſuch Traitors had been allowed to live. With this great Blow of State the Parliament broke up, leaving Grief, Terror and Aſtoniſhment in the Hearts of all, who, tho they could not approve of the Conduct of the Earl of *Douglas* while alive, yet pitied his hard Fate, and deteſted his illegal Execution when dead. So ſay all our Authors, tho I am

Who is decoyed into the Caſtle of *Edinburgh*.

And put to Death.

Scots Authors corrected.

am of Opinion, that ſome Form of Juſtice muſt needs have been uſed; elſe I do not ſee by what Means the Chancellor could afterwards, when the Faction of the ſucceeding Earl of *Douglas* prevailed, have eſcaped the Puniſhment due to ſo horrid a Murder. Beſides, I find that ſome Months after this, *viz.* on the 7th of *January* 1440--1, (*a*) *Robert Fleming*, Son and Heir of Sir *Malcolm Fleming* of *Biggar*, took Inſtruments upon the Sentence pronounced againſt the ſaid Sir *Malcolm* his Father, as being unwarrantable and illegal, and proteſted that it ſhould not be prejudicial to his Blood or Fortune. Which ſhews by the by, that this Tragedy muſt have been acted in this Year 1440, (which few Authors have hitherto known,) and that a *Sentence was pronounced* againſt the Perſons who ſuffered. But that the Sentence was in all Reſpects juſt or legal, is very far from being probable; for *John Major* (*b*) tells us, that if the Annals of the Kingdom, which he had peruſed, may be depended upon, theſe Gentlemen did not deſerve the Treatment they met with, but were trepanned by the Advice and Fraud of the Chancellor; which is the more likely, becauſe it is certain that three Years afterwards (*c*) Sir *Alexander Livingſton* of *Calendar* declared upon Oath, that he had given no Counſel, Aſſiſtance or Conſent to *the Death and Slaughter* (as it is worded in the Record) of Sir *Malcolm Fleming*: So falſe it is, that the Vice-Roy, as *Buchanan* (*d*) has it, was, in Purſuance of what had been before agreed on, aſſiſting to, and preſent at the Execution, to divert part of the Odium on himſelf, which would otherwiſe have fallen heavy upon the Chancellor alone. I have taken Notice of this for the ſake of Truth, and to ſhew with how little Reaſon Mr. *Hume* of *Godſcroft* (*d*) exclaims againſt both, as Villains, and Fools, and *New Men*, (as he calls them,) and *ſmall Barons*, and what not? Whereas it is evident from the frequent mention I have made of their honourable Anceſtors, (and I have not mentioned them without authentick Evidences for what I ſaid) that their Families were ancient and great; and we are aſſured of their perſonal Merits by all Authors, but *Godſcroft*, who alone has endeavoured to render their Memories infamous, becauſe they chanced to be ſtated in Oppoſition to his Heroes the *Douglaſſes*. Yet I ſhall not go about to vindicate every State Politick they went upon, but ſhall leave them, as I found them in Story, with the Character of great, but fallible Stateſmen, ſometimes indulging their private Paſſions at the Expence of the Publick, and often endeavouring to promote the Intereſt of the Publick, I mean of the King and Country, with the Hazard of their own Reputations, Fortunes and Lives. The Chancellor did ſo in the preſent Caſe; and how great a Riſque he ran by ſo doing, we may judge from the following Rhimes, which ſhew how much that *Coup d'Eſtat* was deteſted,

(*a*) Chart. penes Comit. de Wigton (*b*) F. 251. (*c*) Chart. penes Comit. de Wigton. (*d*) p. 373. (*e*) See his Lives of Archb. 4. and Will. 6. Earls of Douglas.

ed, if not by the whole Kingdom, at leaſt by a ſtrong Party in it (*a*).

Edinburgh *Caſtle, Town and Tower*
God *grant you ſink for Sin,*
And that even for the black Dinner
Earl Douglas *got therein.*

The Earl of *Douglas* being thus cut off, and the Concord of the principal Miniſters of State continuing, the next two Years paſt without any memorable Diſturbance at home, or Tranſaction abroad, ſave that in 1442 (*b*) the Truce with *England* was prolonged from the firſt of *May* 1447, till the firſt of *May* 1454; and *James* Earl of *Douglas* was made, according to ſome Writers (*c*), ſole Guardian of the Marches: A Proof that he did not much reſent the real or pretended Injuries done by the Miniſtry to his Nephews, for he was Uncle to the late Earl and Lord *David*; and that tho the Miniſtry could not bear with the Faults of ſome of the *Douglaſſes*, yet they had no Quarrel at the Name or Family. A.D. 1441. A.D. 1442.

But this Earl *James*, who for his Corpulency was ſirnamed the *Groſs*, died ſoon after, leaving behind him ſeven Sons and four Daughters. His eldeſt Son Earl *William*, the 7th of that Name, being a Youth in all Reſpects more like to his Couſin than to his Father, had (ſome ſay) during the Life of this laſt, clandeſtinely ſent for a Diſpenſation from the Pope to marry the Lady *Beatrix Douglas* his own Couſin-german, and the Siſter of the late Earl *William*, by whoſe Death ſhe had ſucceeded to a vaſt Share of the Eſtate, tho not to the Honours of *Douglas*; for which Reaſon, and becauſe of her great Beauty, ſhe was commonly called *the fair Maid of* Galloway. As this Match was highly diſpleaſing to the remoter Branches of the Family, namely to the Earl of *Angus* and to Sir *James Douglas* of *Dalkeith*, who perhaps were willing to have ſhared in the immenſe Wealth which thereby returned to the now Earl of *Douglas* alone, ſo it could by no means be acceptable to the Court, they having, by the late Calamities, experienced what a Soleciſm it is in Politicks to ſuffer any one Perſon or Family, tho ever ſo deſerving, to riſe above the Sphere of a Subject. The King had, no doubt, the *Ward* of the Lady's Marriage, ſo that he might have beſtowed her upon whom he pleaſed; and to be ſure, his Council would never have adviſed him to give her to one already too powerful to be humble, and too great not to incline to be greater. The ambitious young Earl knew all this very well, and therefore made haſte to conſummate the Marriage (*d*) before the Diſpenſation could be procured, and in *Lent* too, a time forbidden by the Church, and which was ſtill worſe, on *Good Friday*, when the reſt of Chriſtendom were commemorating, with all the A.D. 1443.

William the 7th Earl of *Douglas*.

Diſobliges the Court.

(*a*) Godſcr. p. 155. (*b*) Fœd. Angl. Tom. XI. p. 45. (*c*) See Godſcr. p. 159. (*d*) Godſcr. Ibid.

Appearances of Compunction and Grief, the Death and Paſſion of their Redeemer. So ſays *Godſcroft* and all other Authors, tho I have Reaſon to think, that the Name of the Lady was not *Beatrix* but *Margaret*; for I find the Wife of this Earl *William* called *Margaret* in an authentick Record (*a*); by which it alſo appears, that there was another Counteſs of *Douglas* at the time, of the Name of *Beatrix*: But I take this laſt to have been the Mother and not the Wife of the Earl, the rather becauſe it is certain, that one (*b*) *Beatrix* was the Mother of his two Brothers *James* and *John*. But be this as it will,

Scots Authors corrected.

After this ſcandalous manner did the now Earl of *Douglas* make his firſt Entrance upon the Stage of the World, in Defiance of his Kindred, the King his Maſter, and the Church of which he profeſſed himſelf to be a Member. And yet (who can hear it without Indignation?) Mr. *Hume* of *Godſcroft*, Author of the Hiſtory of the *Douglaſſes*, blots a great many Pages in his Vindication; and tho he be a very late Author, pretends to confute all others (and even his Darling *Buchanan*) who had written upon the ſame Subject before them, without appealing to, or citing ſo much as one Record or Voucher to juſtify his own Suggeſtions, or rather Inventions; but inſtead of Authority or Truth, to which he has no Claim, wreſting Paſſages of *Buchanan* and others, palliating Crimes, applauding Inſolencies, juſtifying Rebellions, aſſerting Falſities, denying Matters of Fact, eſtabliſhing Maxims new and unheard of, ſcurrilouſly inveighing againſt the legal Magiſtrates, and miſconſtruing the Actions of the beſt of Men, ſuch as Biſhop *Kennedy* is owned by all but himſelf to have been; and all this either wickedly to encourage the treaſonable Ambition of great Families, or meanly to flatter thoſe who bear the Name, and with Juſtice glory in their Deſcent from the truly illuſtrious and heroick Houſe of *Douglas*, as if theſe laſt had not more Honour in acknowledging and condemning, than in vindicating or imitating the Errors of ſome of their Anceſtors. Indeed there is no true hearted *Scotſman*, but muſt have an high Veneration and peculiar Reſpect for that celebrated Name and Family, which Envy will own to have been ſo deſervedly famous at home and abroad, that they may be compared with any extant upon Record. But as no Subjects ought to preſume too much upon their own Merits, ſo no honeſt Author will ſuffer himſelf to be ſo much dazled by the Glories, as not to perceive the Stains of the beſt of Families and greateſt of Heroes. This much I have thought fit to ſay once for all concerning Mr. *Hume* and his diſingenuous Hiſtory, that my Reader may not be ſurprized, when he finds me differ from him in the Accounts we give of the ſame Tranſactions; for to follow him cloſe, and to expoſe his numberleſs Abſurdities, would be an endleſs Task. I return from whence I digreſſed.

Godſcroft a very ill Author confuted.

The

(*a*) Fœd. Angl. Tom. XI. p. 310. (*b*) Black Acts f. 36.

The Earl of *Douglas* having by moſt unlawful Means obtained immenſe Riches, became, as his Couſin, inſupportably inſolent, and incroaching (*a*) upon the Government, which he deſpiſed and endeavoured to affront, protecting Outlaws and encouraging Riots, in ſo much that he was generally believed to be acceſſory to, if not the Author of whatever was done amiſs in the Kingdom. One *John Gormack*, a noted Robber entirely devoted to his Service, came down from the Mountains of *Athole* about *Midſummer*, and after having pillaged the Low Country near *Perth*, ſet upon the Sheriff of that Place, Sir *William Ruthven*, for no other Reaſon but becauſe this laſt was leading a known Thief to the Gallows: But he and 30 of his Followers periſhed in the Attempt. Not long after, *Patrick Galbreath*, who was alſo of the Earl's Faction, ſurprized and killed *Robert Sempil* of *Fulwood*, Governour of the Caſtle of *Dumbarton*, which he ſeized into his own Hands contrary to the King's Orders: For now the King was come to the Age of 14 Years, and agreeably to Cuſtom had commenced to name his own Officers, and to govern in ſome meaſure by himſelf. The Earl of *Douglas*, who, while the Lord *Livingſton* and Chancellor ſat next to the Helm, kept himſelf at a Diſtance, upon Advice of this Change, and being alſo informed that he would probably be welcome, came to the King's Preſence, and caſting himſelf at his Majeſty's Feet, begged Pardon, and obtained it. Nay, he ſoon after won ſo much upon his youthful Maſter by his obſequious Behaviour, and upon thoſe about him by his Liberality, that he was not only admitted to be one of the Privy Council, but alſo became the principal Favourite, and by Degrees the ſole Ruler both of the King and Kingdom, giving and taking away Employments, puniſhing and forgiving Offences, advancing to Honours, and to be ſhort, doing in the King's Name whatever he had a mind. *Buchanan* ſays (*b*), that he was made Viceroy or Regent over all *Scotland*, and that every Man was enjoined to obey his Commands; which is a Miſtake, ſince, as I have already obſerved, there was no Regent, Viceroy, nor Governour in *Scotland* during this King's Minority, much leſs at the time fixed upon by *Buchanan*, which is the Year 1450, when the King was undoubtedly Major, being paſt 21 Years of Age. The Truth is, he was made Lord Lieutenant in the Room, if I am not miſtaken, of Sir *Alexander Livingſton* of *Calendar*, and probably much about this time: For that there was a Lord Lieutenant in 1449, conſequently before, (*c*) is certain; and that the Earl of *Douglas* was the Perſon we cannot doubt, ſince we know that from this to that Year he was in the higheſt Favour that could be. All his Friends were likewiſe raiſed to Preferments and Titles, tho we know not preciſely the time of their Promotions; but are told in general (*d*), that upon

A. D. 1444.

The Earl of *Douglas* in Favour and Power.

Buchanan corrected.

(*a*) Buchan. p. 374. Hawthorn. p. 65, 66, &c. Boet. f. 364. (*b*) p. 386. (*c*) Black Acts f. 28. (*d*) Buchan. p. 380.

the Death of *James Dunbar* Earl of *Murray*, *Archbald*, a Brother of the Earl of *Douglas*, married his youngeſt Daughter, and thereby got the Honours and Eſtate of that Family, to the Prejudice of *James Crichton* who had married the eldeſt; that another of his Brothers, by *Buchanan* called *George*, (but he ſhould have ſaid (*a*) *Hugh*,) was made Earl of *Ormond*, and another by Name *John*, Lord of *Balveny*.

A.D. 1445. In the Beginning of his Adminiſtration, moſt People began to conceive great Hopes of his gentle and plyable Deportment, but the Wiſer were not free from their own Apprehenſions, being uncertain whither ſo ſudden a Change of Manners would tend; eſpecially Sir *Alexander Livingſton* and Sir *William Crichton*, who having laid down their Offices in the Government, withdrew, the firſt to one of his Country Seats, and the latter to the Caſtle of *Edinburgh*, which, having been made Governour of it by the late King, he did not, it ſeems, reſolve to part with till the Majority of this King. He had Reaſon, if any Reaſon can be given for reſiſting the Commands of a lawful Sovereign, tho not as yet come to the Years of Man, and thereby made ſubſervient to the Paſſions of a corrupted Miniſtry about him. Indeed I humbly conceive, that even in that Caſe Reſiſtance was criminal, and that both the Lords *Livingſton* and *Crichton* ought to have ſtood their Trial; or if they could expect no manner of Juſtice, to have taken Baniſhment upon themſelves, and ſuffered like Chriſtians, till God Almighty in his Providence had been pleaſed to manifeſt their Innocence upon Earth, or to reward their Patience in Heaven. But they did otherwiſe; for being ſummoned to anſwer before the King to ſuch things as they ſhould be legally accuſed of, they ſent him Word, that they deſired nothing more than to give a full Account of their Adminiſtration, but begged to be excuſed at preſent, in regard that they could not hope for Juſtice whilſt his Majeſty was in the Hands of his own and their mortal Enemies, who not long before had been Captains of Robbers and Thieves; and that they thought it his Majeſty's Intereſt and their Duty to preſerve their Lives, till ſuch Men were driven from his Preſence, as had been done on the like Occaſions before; or till he ſhould be *of lawful Age*; at which time they would be ready to lay down their Lives and Fortunes at his Command. This Anſwer was ſo far from ſoftning, that on the contrary it much irritated the King, or rather the Earl of *Douglas*: For which Reaſon a Parliament was inſtantly called, which met, our Authors ſay, at *Stirling*, but I think, at *Perth*, where it is certain that a Parliament did meet in the Month of *July* (*b*), and ordained, That all the Lands and Goods which had belonged to the late King, ſhould be poſſeſt by the preſent King *to the time of his lawful Age*. An Act plainly deſigned in order to the Proſecution of Sir *Alexander*

The Earl of *Douglas* inceniſes the King againſt the late Miniſtry.

(*a*) Godſcr. p. 160. (*b*) Black Acts f. 27.

ander Livingſton and Sir *William Crichton*, who were accuſed of having alienated the Crown Lands, waſted the Royal Revenues, and ſeized upon the King's Jewels, the Furniture of his Houſes, and what elſe they could divert to their own private Uſes. The Conſequence was, that they were both declared Rebels, and their Eſtates confiſcated. This done, *John Forreſter* of *Corſtorphin*, and others of the *Douglaſſes* Adherents were ſent to put the Sentence in Execution, or rather to commence the War; for he invaded their Lands with an armed Force, burnt their Farms and ſmall Villages, demoliſhed their Caſtles, put ſeveral of their Tenants to the Sword, and returned, as from an Enemy's Country, with a great Booty. The late Miniſters of State, on the other hand, over-ran the Lands belonging to the *Douglaſſes* and *Forreſters*; and after having pillaged *Corſtorphin*, *Strabrock*, *Abercorn* and *Blackneſs*, brought away more Prey than they had loſt, and amongſt other Things a ſtately Breed of Mares. Upon this the Earl of *Douglas* prevailed with the King to go in Perſon (*a*) and lay ſiege to the Caſtle of *Edinburgh*; and being informed, or at leaſt ſuſpecting, that the Rebels, as he called them, were privately encouraged by *James Kennedy* the Biſhop of St. *Andrews* the King's Couſin German, he induced his Friend and Ally the Earl of *Crawfurd* to invade and plunder the Biſhop's Lands, which that Nobleman did, in Defiance of the Privileges of the Church and Acts of Parliament (*b*). The Biſhop, who, even according to *Buchanan* no great Friend to Men of his Character, was eminent for his Piety, Wiſdom and Learning, did what was proper for him to do in Defence of his Rights: Being unwilling to make uſe of any other Arms than thoſe the Acts of Parliament and his exalted Office in the Church had put into his Hands, he excommunicated the Earl. But this laſt deſpiſed theſe lingring Thunderbolts, the Effects of which he did not expect to feel in haſte: But he was miſtaken, being very ſoon after, ſays *Buchanan* (*c*), deſervedly puniſhed for his Contempt of all divine and humane Laws. The Manner was thus,

Purſues them with Fire and Sword.

The *Benedictins* of *Aberbrothock* (in regard Monks could not ſit Judges in Civil nor Criminal Cauſes) had made *Alexander Lindſay*, the eldeſt Son of the Earl of *Crawfurd*, their Bailiff or Judge over their Temporality (*d*), who with his huge Train of Followers became chargeable to the Monaſtery, and by his haughty Behaviour inſupportable to the Monks. The Chapter for theſe Reaſons took the Truſt out of his Hands, and gave it to *Alexander Ogilvy* of *Innercarity*, Tutor and Guardian of *John Ogilvy* of *Airly*, to whom, as *Leſly* inſinuates, that Office belonged by Hereditary Right. But *Lindſay* being encouraged by his Father's Intereſt with the Lord Lieutenant, not only refuſed to yield his Poſt, but re-

(*a*) Joan. Maj. f. 141. (*b*) Black Acts, f. 27. (*c*) Buchan. p. 376, 377. (*d*) Buchan. Ib. MSS. Hiſt. of the Family of Huntl. p. 36. Leſly in vit. Reg.

ſolved to make it good by Force of Arms. Both Parties applied to their Friends for Aſſiſtance, and *Alexander* Lord *Gordon* or Earl of *Huntley* chancing to lodge with *Innercarity*, as he returned from Court to his Eſtate in the North, thought fit to eſpouſe the juſteſt Quarrel, and to aſſiſt his Friend, Couſin and Landlord with ſuch Gentlemen as were about him at the Time. Both Parties met at *Aberbrothock*, and were ready to engage, when the Earl of *Crawfurd*, who was at *Dundee*, hearing of the Matter, came in all haſte to mediate an Agreement. He advanced between the little Armies, as they ſtood in Order of Battle, thinking himſelf abundantly ſafe by his own Authority. But while he called aloud to ſpeak with *Innercarity*, before he was known, or could be heard, a common Soldier with the Thruſt of a Spear, which entred his Mouth, laid him dead upon the Spot. This Accident brought on a very fierce Conflict; after which, the *Lindſays* came off with Victory and with the Loſs of but one hundred of their Number; whereas, on the other ſide above five hundred were killed, among the reſt Sir *John Oliphant* of *Aberdagy*, *John Forbes* of *Pitſligo*, *Alexander Barclay* of *Gartly*, *Robert Maxwel* of *Teling*, *Duncan Campbel* of *Campbelfether*, *William Gordon* of *Burrowfield*, &c. The Earl of *Huntley* eſcaped by the Favour of the Night, but *Innercarity* himſelf was made a Priſoner, and carried to the Caſtle of *Finnevin*, where he died of his Wounds. Sir *John Ogilvy* of *Innercarity* is the lineal Heir of that brave Gentleman and ancient Family, whoſe Title to the Poſt contended for, was afterwards reſtored, as appears by its being continued in the Houſe of *Airly* to this Day; and the Earl of *Huntley* had ſome Years after all the Satisfaction his innate Loyality, whetted with Revenge for being worſted on this Occaſion, could give him. The Fight happened, ſome ſay, on the 13th, others on the 24th of *January* 1445, that is, 1446; a Year fatal to many of the beſt Quality, and almoſt all the Commonalty of the Nation.

Battle of *Aberbrothock*.

Earl of *Crawfurd* killed.

Innercarity dies of his Wounds at *Finnevin*.

A. D. 1446.

Every Day, at leaſt every Month, gave Riſe to, or compleated the Misfortune of ſome Body; and nothing was heard of but Devaſtations, Robberies, Deaths, Skirmiſhes and Sieges. The *Lindſays*, in Purſuance of their Victory, pillaged and deſtroyed the whole Country round. *Robert Boyd* of *Duchal*, Governor of the Caſtle of *Dumbarton*, ſet upon Sir *James Stewart* of *Achinmintee*, not far from *Kirkpatrick*, and killed him. *Patrick Hepburn* of *Hales* ſurprized the Caſtle of *Dumbar*; and *Archbald Dunbar* in his Turn took the Caſtle of *Hales*; but was diſlodged from thence by the Earl of *Douglas*, whoſe Vaſſals in *Annandale* did incredible Miſchiefs to all their Neighbours. And, as if all this was not enough, *Buchanan* (a) very unaccountably tells us, that the Earl of *Crawfurd* put *John Lyon*, he means the Lord *Glammis*, to Death in the Market Place of *Dundee*: A Story which has no Truth in it,

Continuation of civil Diſcords in *Scotland*.

Buchanan corrected.

(a) p. 378.

it, ſave that about the Year 1381, more than threeſcore Years before this, *John Lyon* of *Glammis* was aſſaſſinated by the then Earl of *Crawfurd* (*a*). But why this Paſſage, which is of no uſe to favour any of the great Ends of *Buchanan*'s Writings, ſhould be by him ſo unchronologically related in this Place, I confeſs that I am at a Loſs to know: But of this by the by.

The Queen Mother dies

The Queen *Dowager* had retired to the Caſtle of *Dumbar*, while it was kept by the Lord *Hales*, but died ſoon after, leaving behind her three Sons to her ſecond Husband; *John*, who in 1455 was made Earl of *Athole* by King *James* II. *James*, who in 1469 was made Earl of *Buchan* by King *James* III. and *Andrew*, afterwards Biſhop of *Murray*. As for the Black Knight himſelf, I find (*b*) that he and his Son *James Stewart*, and one *William Dickſon*, with twenty more in their Company, obtained a Paſs or ſafe Conduct from the King of *England*, dated the 24th of *November* 1445, in which he is called *James Stewart* late Husband of the deceaſt Queen of *Scotland*; which ſhews that *Boethius* (*c*) and others are in a Miſtake, who tells us, that Sir *James* went from *Scotland* before the Death of the Queen his Wife. They add, that he was driven to Baniſhment by the Earl of *Douglas*, and that being taken at Sea by *Flemiſh* Pirates, he died in their Cuſtody; ſo that it ſeems, the Honour which he had to ſhare in the Bed of a Queen was not ſo comfortable to him as he might have expected, being thereby an Object of Envy to the leading Men of both Parties, who made it their Buſineſs to perſecute him. So true it is, that nothing is ſafe nor certain, but what is eternal, and out of the Reach of humane Controul. The Queen was buried on the 15th of *July* in the *Chartreux* of *Perth*, near to the Body of the King her firſt Husband; tho *Mezeray* will have her to have died in *France*, whither ſhe fled, ſays he, to avoid the Calamities that enſued upon the Murder of King *James* I. in *Scotland*: But he is certainly in a Miſtake. Moſt part of this Time, the Caſtle of *Edinburgh* was held out by the late Chancellor, againſt the now Lord Lieutenant; and the Siege had laſted nine Months, when both Parties thought fit to come to an Accommodation, by which the Caſtle was ſurrendred to the King, or rather to the Lord Lieutenant, and the Lord *Crichton* was not only indemnified for what he had done, but alſo received into Favour, and made Chancellor as before. It was lucky for him that he had been poſſeſt of ſuch a ſtrong Place as the Caſtle of *Edinburgh*; for it fared quite otherwiſe with the *Livingſtons*, who being defenceleſs and overmatched in the Fields, were now, tho a little before (*d*) alſo indemnified, ſent for, or brought to *Edinburgh*, in order to their Trial. All but they who were entirely devoted to the Earl of *Douglas*, became Mediators for them; but neither Prayers, nor Tears, nor Reaſon, nor Juſtice could ſave them. But Sir *Alexander Livingſton* himſelf and his two Friends, Sir *James*

The Lord *Crichton* reconciled to the Earl of *Douglas*. A.D. 1447.

(*a*) See the Life of Lyon. (*b*) Fœd. Angl. Tom. 11. p. 107. (*c*) f. 366. (*d*) Ib.

Dundaſs of *Dundaſs*, and Sir *Robert Bruce* of *Clackmanan* redeemed their Lives with their Eſtates, which were confiſcated, and themſelves ſent Priſoners to *Dumbarton*, where they were to remain during Pleaſure. This Treatment was thought very hard, but the Fate of *Alexander Livingſton* younger of *Calendar*, *Robert Livingſton* late Treaſurer, and *David* alſo a Gentleman of the ſame Name and Family, was much harder; for they were all beheaded in the Caſtle of *Edinburgh*, where, Authors ſay, that the firſt being a young Man of admirable Parts and great Eloquence, made ſuch a moving Diſcourſe upon the Vanity of the World, and the Viciſſitude of humane Affairs, as drew Tears from the Eyes, and Sighs from the Breaſts of all that were preſent.

The *Livingſtons* perſecuted.

A.D. 1448. And now ſo much Miſchief had been done ſince the Earl of *Douglas* his Acceſſion to the Lieutenancy, it was high time to do one good thing. The King was about 18 Years of Age, and ſince he had no Brothers to ſecure the Succeſſion in the Houſe of the *Stewarts*, it was thought reaſonable that he ſhould marry betimes, in order to aſcertain it, as much as humane Prudence could deviſe, by Children of his own. But the Queſtion was, where a Wife could be had, whoſe Perſon could be agreeable to the King, and whoſe Alliance might be uſeful to the State. Former Princes had found by Experience, that to match with their own Subjects was the high way to leſſen their Authority at home, and Reputation abroad. Beſides, the *Engliſh* were at this time renewing their Endeavours (*a*) to deprive *Scotland*, which was in it ſelf but too much divided, of the Benefit of their old League with *France*; the rather, becauſe the Dauphineſs was now dead without Iſſue, and thereby the late Alliance between the two Royal Families of the *Stewarts* and *Valois*, was diſſolved.

Theſe were all good Reaſons why the King ſhould make haſte to marry, and why he ſhould marry one of the Blood Royal of *France* rather than another. Accordingly by his Commiſſion (*b*) dated at *Stirling* the 6th of *May* 1448, he named Sir *William Crichton* Chancellor of *Scotland*, *John* Biſhop of *Dunkeld*, and Mr. *Nicholas Otterburn* Chanon of *Glaſgow* and Official of St. *Andrews*, his Ambaſſadors, impowering them to renew the old League with *the moſt illuſtrious* Charles *his dear Brother and loving Confederate King of* France, and to ſeek out a Wife for him in that Kingdom, in order to obviate the Deſign which the King of *England* had to bring about a Breach of their conſtant Amity. The *Scots* Ambaſſadors no ſooner arrived at *Tours*, where the King of *France* ſtill kept his Court, but this laſt commiſſioned *Theobald* Biſhop of *Mailleraiſ*, the Sieur de *Pretigni*, and Mr. *William Couſinot* his Counſellors, (as they are called in the Record,) to treat with them; and on the laſt Day of *December* they agreed to ratify the Treaties made ſince that which was concluded by *Charles le Bel* and *Robert Bruce*, between the

The old League renewed with *France*.

(*a*) Chart. penes Geo. Comit. de Winton. (*b*) Ib. Traitez d' entre les Roys de Fr. & d' Angl. p. 356, 366.

the respective Kings of both Kingdoms; with this Explication, That in case either of the two should make a Truce with *England*, the other should be expresly comprised in it, and advertised of it within 9 Months; who if he was willing to go into the same Measures, the King of *England* was to be told so much, to prevent further Hostilities; but that if he rather inclined to prosecute the War, yet the League between *Scotland* and *France* was in all other Respects to remain inviolable. As for the Match, it seems there was none in *France* at the time fit for King *James*, but there was one of the Blood Royal found out in *Guelder*, young, beautiful and courageous above her Sex. This is the Character due to *Mary* the Daughter of *Arnold* Duke of *Guelder*, and (by her Mother *Katharine* Dutchess of *Cleve*) Grandchild of *John* Duke of *Burgundy*. The King of *France* directed the *Scots* Ambassadors to her Father's Court, where her Contract of Marriage was very soon agreed to.

A Match agreed to between the King and Princess of *Guelder*.

These Negotiations were carried on too openly to be concealed from the King of *England*, who did all in his Power to traverse them; but to no Purpose: For which Reason, he or they about him proceeded from clandestine Intrigues to open Hostilities, and notwithstanding the Truce was very far from being expired, commanded Inroads to be made upon the Borders, as if the *Scots* Nation could have been bullied out of their Duty to their Allies, or their King out of his Love for the Princess, whom he had resolved to marry, especially at this time of the Day when the Ballance of Power was visibly on the side of *France*, and the Seeds of those Jarrs between the two Houses of *York* and *Lancaster*, which afterwards proved so fatal to *England*, began to spring up. However, the Earls of *Salisbury* and *Northumberland* invaded *Scotland* with two different Armies; the one burnt the Town of *Drumfries*, and the other that of *Dumbar*. But *John Douglas* of *Balveny* was not behind with them, he burnt *Anwick*, and plundred the whole County of *Cumberland*. This occasioned a greater Army to be raised in *England*, which the Earl of *Northumberland* commanded in chief, and under him one *Magnus*, who, by reason of his long and red Beard, was by the *Scots* in Derision called *Magnus* with the *red Mane*. He was an excellent Officer, being by Nature valiant, and from his Youth trained up in the *French* Wars, but a little too presuming: For he is said to have required no more for his Service to the Crown of *England*, than what he could conquer of *Scotland*. If so, he might have lived and died as poor as when he was born. But he lived not long, a bloody Battle, which soon followed after the *English* Army had past the Rivers of *Solway*, and encamped near that of *Sark*, having determined his Fate.

Truce broken by the *English*.

The Earl of *Ormond* commanded the *Scots*, who, when he drew near to the *English*, appointed .... *Wallace* of *Craigie*, the Chief of that Family which had formerly given Life to the incomparable Sir *William Wallace* the *Scots* Champion, and the worthy

Battle of *Sark* gained by the *Scots*.

ceſtor of the preſent Sir *Thomas Wallace* alſo of *Craigy*, to fight the Left Wing of the Enemy, where *Magnus* with the red Mane was poſted; and the Lords *Maxwel* and *Johnſton*, the no leſs worthy Anceſtors of the noble Families of *Nidſdale* and *Annandale*, to attack Sir *John Pennington*, who ſtood upon the Enemy's Right at the Head of a numerous Body of *Welſh*. He himſelf took care of the Center, and ſo proceeded to Action. But the *Engliſh* abounding in the Number of their Archers, wiſely endeavoured to keep the *Scots* at a Diſtance with the repeated Showers of their Arrows. Which when *Craigy Wallace* perceived (*a*), he cried aloud, *Come on Gentlemen, this is but trifling: A diſtant Fight may do well with Cowards, but brave Men love cloſe Work; follow me, and I will warrant you the Day is our own.* With theſe Words he advanced, and drew the whole Left Wing after him, who with their long Spears made a great Havock among *Magnus*'s Men, and at length put them to the Rout. *Magnus* himſelf fought with his wonted Courage, but was killed in the Action; and as his Fall diſcouraged the reſt of his Countrymen who yet ſtood their Ground, ſo it gave new Life and Vigour to the *Scots*. At length the former were entirely defeated. They fled back to *Solway* Frith, but could not get over it, by reaſon of the Tide which had raiſed its Waters to a great Height; ſo that many were drowned, and more killed upon the Banks. They loſt in all about 3000 Men, ſay our Authors, which makes me believe that this Victory has been exceſſively magnified Abroad; for the *French* Hiſtorians tell us, not only (*b*) that the *Engliſh* were *ſoundly beaten* (*bien battus*) on this Occaſion, but that in two different Engagements (*c*) with the *Scots*, they left 24000 Men upon the Fields of Battle: Which cannot be literally true; tho it is moſt certain that their Loſs was conſiderable (*d*), eleven Officers of Note being killed, beſides *Magnus*; and a great many Priſoners taken, among the reſt Sir *John Pennington*, Sir *Robert Harrington*, and the Lord *Percy*, eldeſt Son of the Earl of *Northumberland*; and he too having been diſmounted from his Horſe, would have fallen into the Hands of the Victors, if his Son had not courageouſly reſcued him, and thereby occaſioned his honourable Misfortune. The *Scots* loſt not above 600, and among theſe none of Quality or Reputation, but the gallant *Wallace*, who was carried home in a Litter, and within three Months after died of his Wounds.

Wallace of *Craigie* his Gallantry.

Magnus with the red Beard killed

I ſee one Reaſon why the *French* might have been inclinable to magnify the *Scots* Succeſſes and *Engliſh* Loſſes: It is this. The *Engliſh* were this Year no leſs unjuſt to them than to us, and came off with no leſs Diſgrace. I ſhall relate the Story, becauſe the Quarrel was probably the ſame, and the *Scots* had a Hand in the Proſecution of it Abroad, as well as at Home. *Francis* Duke of *Britanny* was married with *Iſabell* a Siſter of the Dauphineſs, and a Daughter

(*a*) Buch. p. 383. (*b*) Traitez d'Entre, &c. p. 356. (*c*) Orleans liv. 6. p. 245. (*d*) Holinſhed, p. 390.

Daughter of King *James* I. And the Charms of that Lady had fixed her Husband ſo entirely in the Intereſts of *Scotland* and *France*, that (*a*) he put to Death his own Brother *Giles* of *Bretaign*, becauſe this laſt having been bred up at the Court of *England*, and being one of the Knights of St. *George*, was an open Favourer of the *Engliſh* Pretenſions. Yet as violent an Enemy as the Duke had ſhown himſelf to that Intereſt, he had nevertheleſs been expreſly comprized in the laſt Truce concluded between *France* and *England* about four Years ago, and prolonged from time to time. But this Year the *Engliſh*, being regardleſs of the publick Faith, and, it ſeems, reſolved to traverſe the Deſigns on Foot, coſt what it would, broke in upon the Duke of *Britanny*'s Territories, as well as thoſe of King *James*. For one Sir *Francis Surienne* a Knight of *Arragon*, ſerving under the Duke of *Somerſet* then Regent for the King of *England* in *France*, ſurprized the City of *Fougeres* (*b*), where he met with a Booty of above 160000 Crowns. Upon which, Reparation and Reſtitution being in vain demanded, the Duke of *Britanny* began the Revenge ſo ſucceſsfully, that in one Year and 6 Days the whole Dukedom of *Normandy*, in which there were 100 ſtrong Towns and Forts, all tenable, and of Conſequence, was entirely reconquered; or rather, as *Mezeray* ſays, and after him Mr. *Echard*, helped to recover it fell, after it had continued in the Poſſeſſion of the *Engliſh* above 30 Years, from the Conqueſt of it by *Henry* V.

The *Engliſh* loſe all *Normandy*. A.D. 1449.

Theſe irreparable Loſſes which the Breach of their Faith had occaſioned, made them inclinable to come to an Accommodation, at leaſt with *Scotland*; and King *James*'s Impatience to ſee his Bride, whoſe Paſſage from the *Netherlands* might have been diſturbed or hindred by the *Engliſh* Fleet, made the *Scots* the more willing to come to an Accommodation with *England*. Accordingly on the 10th of *May* 1449 (*c*), *Alexander* Lord *Montgomery*, Mr. *John Methven* Doctor of the Decretals or Canon Law, *Patrick Cockburn* of *Newbigging*, Provoſt of the Town and Governour of the Caſtle of *Edinburgh*, and Mr. *Patrick Young*, were commiſſioned to renew the Truce; which they did, it being to laſt (*d*) from the 10th of *Auguſt* till the 20th of *September*. But before it expired, the ſame Plenipotentiaries, together with (*e*) *John* Biſhop of *Dunkeld* Lord High Treaſurer, *Andrew* Abbot of *Melroſs*, *Alexander Livingſton* of *Calendar*, now again admitted to Court and made Juſticiary of *Scotland*, and *John* Lord *Hamilton*, met at *Durham* with an equal Number of Plenipotentiaries for *England*, and prolonged it till the 19th of *November*. But that Interval of time being ſtill too ſhort (*f*), another Congreſs was held at the ſame Place; the Commiſſioners for *Scotland* being *the worſhipful and religious Father* Andrew *Abbot of* Melroſs, *the Noble Lord and Baron* Andrew Gray,

(*a*) Traitez d' entre p. 356. (*b*) Echard p. 497. Orleans Liv. VI. p. 243. (*c*) Fœd. Angl. Tom. XI. p. 229. (*d*) Ib. p. 231. (*e*) Ib. p. 237, 238. (*f*) Ib. p. 247, 248, &c.

Mr. *John Methven* Doctor of the Canon Law, Maſter of the Rolls and Regiſter, and *Thomas Cranſton* Eſquire. They for *England* were *Robert* Biſhop of *Durham*, *John* Viſcount *Beaumont* Conſtable of *England*, Sir *Thomas Stanley* Comptroller of the King's Houſhold, and Mr. *Richard Andrew* Secretary of State and Doctor of Law; who on the 15th of *November* agreed, That the Truce ſhould be renewed and prolonged to no certain Term, as was uſual before, but only ſo long as either of the Kings had a mind to keep it; with this Caution, That when the King of *Scotland* ſhould think fit to renew the War, he was obliged to acquaint the King of *England* with his Intentions 180 Days before his Subjects could be allowed to commit Hoſtilities; and the King of *England* was to behave in the ſame manner with reſpect to the King of *Scotland*. The Conſervators of the Peace on the Part of *England* were the Dukes of *Buckingham*, *Norfolk* and *Suffolk*; the Earls of *Saram*, *Northumberland* and *Oxford*; the Viſcounts of *Beaumont* and *Clifford*; the Lord Baron of *Grayſtock*, &c. They for *Scotland* were the Earls of *Douglas*, *Angus*, *Roſs*, *Murray* and *Crawford*; the Barons of *Crichton*, *Sinclair*, *Somervel*, *Maxwel*, *Montgomery*, *Gray*, *Hepburn* of *Hales*, and *James Crichton*; the Sheriffs of *Angus* and *Fife*, *Simon Glenduning*, *Archbald Douglas*, *William Cranſton*, *Walter Scot*, *Robert Crichton*, *Alexander Home*, *David Home*, and *Alexander Ramſay*, Knights; *James Rutherford*, *Nicolas Rutherford*, *Thomas Cranſton*, *William Karlehill*, *William Douglas*, *Adam Johnſton* and *William Lawder*. I have taken notice of one Particular in this Treaty with reſpect to its Duration, which I have not met with in former ones; but two more are obſervable. The firſt was an Inſtrument taken by Mr. *Richard Andrew* King *Henry*'s Secretary, who proteſted, That the Treaty ſhould not hurt or prejudice the Right and Title which the King his Maſter had, or pretended to have to the Superiority, Preeminence, and direct Dominion of the Land of *Scotland*. Whether the *Scots* Ambaſſadors entred their Proteſtation to the contrary, I know not; perhaps they did, tho it is as probable that they did not think it worth their While. Their King was owned by the King of *England* himſelf and by all the World beſides, and the Lives of his Predeceſſors ſufficiently ſhew, how nobly the *Scots* had ever aſſerted their Independency, and how vainly the *Engliſh* had laid Claim to Superiority, which neither their ſharpeſt Swords could make good in the Field, nor their ridiculous Arguments eſtabliſh in the Opinion of any but themſelves. A third thing remarkable in this Treaty was, that Mr. *John Methven* the Lord Regiſter of *Scotland*, promiſed by way of Inſtrument, that the Garriſons and Inhabitants of *Roxburgh* and *Berwick*, which were ſtill in the Hands of the *Engliſh*, ſhould be ſuffered to poſſeſs the ſame during the Truce, and be allowed a competent Quantity of Graſs, Hay and Fewel, out of the Lands, Paſturages and Meadows contiguous to theſe Places; as alſo that they of both Nations

Remarkable Truce with *England*.

Nations who laid claim to the Lands, called *Batable*, or *Threplands*, in the Weſt Marches, ſhould make uſe of them indifferently, without any Moleſtation or Diſturbance, provided that thereby no Derogation ſhould be conſtrued to enſue to the Right which the King and his Subjects of *Scotland* had to the ſaid Towns, Caſtles, Lands and Meadows: And the like Proteſtation was made by Mr. *Richard Andrew* in the Name and Behalf of his Maſter, with Reſpect to the Lands called *Debatable*.

Thus the Treaty was perfected by the Plenipotentiaries of both but the King of *England* did not ratify it till the 20th of 1450 (*a*), nor the King of *Scotland* (*b*) till the 9th of *June* after. However, it had this good Effect in the mean time, the Queen's Paſſage to *Scotland* was not obſtructed: She arrived ſafe with a moſt numerous and noble Retinue of Princes, Prelates, Noblemen, &c. namely (*c*), the Biſhops of *Liege* and *Cambray*, the Princes of *Raveſtain*, *Vere* and *Bergen*, the Earl of *Naſſau*, &c.

The Princeſs of *Guelder* arrives in *Scotland*.

Theſe and many more Foreigners of the higheſt Quality, had the Pleaſure to ſee their Princeſs married with a gallant young King, and crowned Queen with great Pomp and Solemnity; both Ceremonies being performed in *Holy-rood-houſe*, in the Month of *July*, ſays *Buchanan*, which is probable enough; but, as is uſual with him and all *Scots* Authors, he forgets to tell us in what Year of God, tho it is plain from all the concurring Circumſtances, which I have related, but more particularly from the Date of the Treaty concluded by the *Scots* Ambaſſadors in *France*, that the Queen could not come to *Scotland* ſooner than this ſame Year 1449; and no Author ſays that ſhe came later. She was a welcome Gueſt, upon many Accounts, to all but the Lord Lieutenant, his Brothers, and Friends; who, tho their good Conduct in the late War, and the great Victory which they had obtained over the *Engliſh*, ſeemed to ſecure their Intereſt at Court and in the Country, yet could not forbear to look upon the Return of the Lord *Crichton* and the Favour ſhewed to the Lord *Livingſton*, with invidious Eyes. Some think that *Crichton* the Chancellor had been ſent Abroad in order to be loſt, or at leaſt ſent out of the Way, on Purpoſe that the Lord Lieutenant might rule the King and Kingdom at Pleaſure. But now the former had diſcharged his Embaſſy with ſo much Applauſe, and brought home a young Queen, whoſe Favour and Eſteem he had had Time to engroſs, the latter thought himſelf thereby very much leſſened, and being no more able to bear with a Rival in Authority than other Men do with Rivals in Love, he retired (*d*) from Court, and probably laid down his Commiſſion; for during the reſt of this Reign, I find no Mention made of a Lord Lieutenant in our Acts of Parliament; and the King being married, and not far from the Age of 21 Years, there was no Occaſion for one in that too much exalted Station.

Married with the King.

Buchanan corrected.

Earl of *Douglas* male-content.

(*a*) Ib. p. 268. (*d*) Ib. p. 271. (*c*) Boet. f. 366. (*d*) Godſ. p. 180.

He was no ſooner at his Country-Seat, but he began to ſhew that he meant to be independent, at leaſt at Home. He did yet more, for he preſumed to revenge Injuries and puniſh Offences, as if he had had to do with Rebels, and been veſted (as he had in ſome Meaſure been before) with the Supreme Authority. For a Quarrel having happened between *Richard Colvill* of *Ochiltrie* and *John Auchinleck* of *Auchinleck*, the latter who was a Vaſſal and Friend of the Earl, chanced to be killed, *Godſcroft* ſays,
Kills *Ochiltrie.* way-laid and murdered. Which when the Earl got Notice of, he ſwore that he would neither eat nor drink, till he had revenged the Death of his Friend by that of his Enemy. He took Horſe accordingly, and, with a ſufficient Number of his Followers, rode to the Caſtle of *Ochiltrie*, forced it, plundred it, and put the Laird himſelf and all within it, but Women and Children, to the Sword. This was to act the Sovereign with a Witneſs; and tho the King could not puniſh it, (ſo exceſſive was the Earl's Power,) yet he reſented it highly, and did what was poſſible to prevent the like Encroachments upon his Prerogative for the future. This appears
A.D. 1450 from ſeveral Statutes which were made in *January* next Year, by a Parliament aſſembled at *Edinburgh*. By one of them (*a*) the King's Peace was ordered to be proclaimed, and declared to be a ſufficient Security for Life and Fortune to all Men; ſo that henceforth no Body ſhould need to take Security, as it ſeems had been formerly uſual, from any other. It was alſo provided that Offenders ſhould be puniſhed *by the King or his Officers*, which Expreſſion is plainly pointed at the Earl of *Douglas*, who without being the King's Officer had pretended to puniſh the Slaughter of *Auchinleck*. But becauſe fit Officers, by Reaſon of his Majeſty's long Minority, were wanting, the Act adds, and *That the King*
Antimonarchical Writers confuted. *make ſuch Officers as can well and may well* puniſh *Treſpaſſours*. This, if I am not miſtaken, is alſo pointed at the Earl, who being Lieutenant, had neglected to put Men of Honour and Knowledge in Places of Truſt: Therefore the Parliament declared, that as none but the King, or the Officers appointed by him, were to puniſh Offences, ſo theſe Officers, if they failed in their Duty, were to be *puniſhed by the King*. From all which it is plain, that this Parliament did not at all mean to leſſen the Royal Authority, as ſome would inſinuate, but that on the contrary, they were for taking the Power out of the Hands of thoſe, who had abuſed it during his Minority, and for putting it entirely into his own, altho he was not yet come to *lawful Age*, that is 21 Years. This is ſtill more evident from the very next Statute (*b*) made againſt ſuch as ſhould preſume *to rebel againſt the King's Perſon or his Authority*; than which nothing can be more expreſs. And, as if all this was not enough to guard the King and his Authority

(*a*) Black Acts, f. 28, c. 13. (*b*) Ib. f. 29. c. 14.

thority againſt all Hazards or Attempts whatſoever. A third Act was made by the ſame Parliament, which becauſe it has been ſo often miſconſtrued by Antimonarchical Writers, as if meant to ſet the Power of Parliaments above that of our Sovereign, I ſhall here inſert it at full length (*a*).

" *Item*, It is ſtatute and ordainit, That gif any Man, as God " forbid, commit or do Treaſoun againis the Kingis Perſoun or " his Majeſtie, or riſis in feir of Weir againis him, or lays Hands " upon his Perſoun violently, quhat Age the King be of, zoung " or auld, or reſettis ony that has committit Treaſoun, or that " applys them in Help, Red or Counſal, or that ſtuffis the Hou- " of them that are convict of Treaſoun, and haldis tham againis " the King, or that ſtuffis Houſes of thair awin in furthering of " the Kingis Rebellis, or that aſſailzies Caſtellis or Placis quhair " the Kingis Perſoun ſhall happin to be, *without the Conſent of the* " *Thre Eſtatis*, ſhall be punit as Traitouris. " This Exception (*without the Conſent of the Three Eſtates*) clearly evidences, (ſays a late Author (*b*),) that tho they made it Treaſon to make War upon the King without their Conſent, yet they would not have a War made by their Conſent to infer that Guilt or Puniſhment. In the Name of Goodneſs how can any Man make ſuch an Inference, or think it poſſible, that the Three Eſtates of an Hereditary Kingdom can make War againſt the King? The Three Eſtates cannot, never could meet, nor ſit, nor vote, nor act, but in concert with the King. Was not the King originally the very Fountain of their Being? Did not he create and make them Eſtates? Can all or any produce a Charter, Evidence or Title by vertue of which they may meet, ſit, vote or act, but ſuch as they have immediately from the King? The firſt Eſtate was compoſed of the Clergy; and who entitled the Clergy to ſit in Parliament but the King? They ſat there as Lords and Barons; and who but the King made them ſuch? The ſecond Eſtate was alſo made up of Lords and Barons; and ſhow me the Lord or Baron who enjoys his Title or Lands but by the Grant of the King? Do not their Charters and Patents, without which they could neither have Titles nor Lands, evidence this? And is it not alſo from Charters granted by Kings to Royal Burghs, that the third Eſtate compoſed of Burgeſſes, prove their Right of ſitting in Parliament? And can any of, or all theſe Men together, *lay violent Hands upon, or make War againſt the King?* They may indeed; but juſt as lawfully as the fallen Angels, *Lucifer* and his Accomplices, attempted to make War againſt the *High One*; Creatures againſt their Creator, by whoſe Grant they had received a Being, and without whoſe Concurrence they could not enjoy it one Minute. The Compariſon ſtill holds; for as the King's Grants made the Clergy,

(*a*) Ib. f. 30. c. 26. (*b*) See an Account of the Rights of the Parl. of Scotland, printed *Anno* 1703, p. 5.

Barons and Burgeſſes capable to ſit in Parliament, ſo no Parliament could meet, or be a Parliament without the Concurrence of the King. Do not tell me of original Contracts and *Pacta conventa*, nowhere extant but in the Vacuities of Antimonarchical Brains. Neither will any Man in his Senſes draw Inferences from Precedents met with in Hiſtories, vouched by no Evidence but their own. But look into the Records of the Nation, authentick, publick, unqueſtionable Records, the *Regiam Majeſtatem*, the Laws of St. *David*, King *William*, *Alexander* II. *Robert* I. *David* II. *Robert* II. and III. Nay, turn over the more modern *Black Acts* on which ſo much Streſs is laid, and you will ſee and muſt acknowledge, that as the Laws of *Scotland* were made by the King at leaſt with their Concurrence, ſo they are called the Laws or Statutes of King *David*, King *William*, King *Robert*, *&c.* and that as Parliaments were called by, ſo they were held in the Name of King *James* I. II. III. *&c.* Nay, when this very King, whoſe Life I now write, was but an Infant, at leaſt a Child of but 6 Years of Age, and before he was crowned, and tho he had not a Tutor or Governour, his Father having died ſuddenly; yet the Parliament which then met in order to his Coronation, met in his Name, and was called (*a*) by its own Members, *the Parliament of the moſt ſerene Prince and Lord our moſt dread Lord James, &c.* Since therefore the Laws were, and are the King's Laws, and ſince Parliaments are alſo the King's Parliaments or *Grand Councils*, I ſay again, how can the Parliament or the King's Council, be by his own Law impowered to *lay violent Hands* upon, or make War againſt him? But why are theſe Words *(without the Conſent of the Three Eſtates)* inſerted in the Act of Parliament now under Conſideration, an Act otherwiſe ſo loyal and ſo prudent, that all treaſonable Attempts (with a *God forbid*, *viz.* that any ſuch ſhould be made) ſeem to be foreſeen and obviated? The Reaſon is plain to any that knows the Hiſtory of theſe Times; and this ſhews by the by, that without the Knowledge of Hiſtory, true, genuine and Chronological Hiſtory, ſome Laws are apt to be miſconſtrued, and many cannot be rightly underſtood. The Reaſon, I ſay, is plain, and it is this: The Perſon of the King was held ſo ſacred, and his Authority was ſo much reſpected, that even when he was a Boy, his Preſence, as I have ſhewed from the beſt of Evidences, was thought neceſſary to warrant and corroborate the Decrees of his Judges, and ſufficient, if not alſo neceſſary to curb Riots and depreſs Violences of all ſorts; ſo that whoever had the keeping of the King's Perſon during his Minority, might make uſe of, or abuſe his Authority, as he pleaſed. Hence it came, that the deſigning and leading Men of each Faction (and Factions are ever frequent during Minorities) made it their grand Buſineſs to get the King into their Cuſtody, towards which End they left nothing undone. Thus the

(*a*) Black Acts, f. 26.

the Lord *Livingſton* had procured him to be ſtoln from the Caſtle of *Edinburgh* and conveyed by Sea to his own Reſidence at *Stirling*, and the Lord *Crichton* had either decoyed or forced him back from *Stirling* to the Caſtle of *Edinburgh*. Not long after, the Earl of *Douglas*, catching at a favourable Opportunity, in his Turn made himſelf Maſter of the Royal Youth, and by this means ſhifted out both the one and the other; and ſtill the preſent Poſſeſſor or Keeper of the King's Perſon, was himſelf King in Effect, at leaſt he acted as ſuch; and upon Pretence that ſuch was his Majeſty's Pleaſure, bore down and haraſſed all that were not of his own Party, to the inexpreſſible Damage and Detriment of the Kingdom. And now the King was very near a Man, and married, and Maſter of himſelf, He, and in Conjunction with him his Parliament, the Wiſdom of the Nation, being willing to pardon the indirect and even violent Methods ſo lately made uſe of by different Factions towards engroſſing the Royal Perſon and Authority, thought fit to make a Law (there being no expreſs one made for that Purpoſe before) to prevent the like Encroachments for the future: And that this Law might be the more effectual, they declared that the Tranſgreſſors were puniſhable by *the Three Eſtates*, that is, quickly, and even altho they had actually the Perſon of the King in their Power, in ſo much that *the Three Eſtates*, might henceforth cauſe the Perſon of their King, if detained or carried away by any Faction or Party of Men, to be ſet at Liberty, even by Force and Violence. And had *the Three Eſtates*, who were the King's natural Guardians, forced this ſame King *James*, when he was a Minor, from the Hands of any, or all the three Factions, who ſeized upon him by Turns, and skreen'd their own Injuſtices with his Authority, I humbly conceive, no Body will think that they had done amiſs. But they did it not, becauſe they had no Law for ſo doing; and therefore they were now impowered by a Law to do it, in caſe the King, whether *young or old*, ſhould chance to be treaſonably carried away, or detained by a few, as had ſo often fallen out of late. I ſay by a few, it being impoſſible that *the Three Eſtates themſelves* could thus forcibly detain, or carry away their King: For if he was at Freedom and Liberty, they could not move nor act without him; nay, whenever he had a mind, they muſt needs ceaſe to be; he could diſſolve them at Pleaſure; or tho he did not or could not diſſolve them, as happened to King *Charles* I. in *England*, yet their ſitting, and voting, and acting could be of no Force or Efficacy, I mean, no legal Force or Efficacy, unleſs aſſented to, and confirmed by his free unconſtrained Will and Approbation. But ſuppoſe, *as God forbid*, that a lawful King or Queen was, by the Violence or Fraud of a rebellious Junto, carried away and pent up in a Fortreſs, to which none could have acceſs, but the Junto themſelves; in that caſe the Parliament might and ought, if no other Methods could prevail, cauſe the Caſtle be beſieg-

ed, and force the Traitors to ſet him at Liberty. This, and no more is, nor can be, the Meaning of that moſt loyal and prudent Act, which Men of rebellious Principles would invert to the licenſing of the moſt treaſonable and abominable Practices. As for the other, which was paſſed long after in the Reign of King *James* IV. and is alſo tranſcribed and inſiſted upon by the Anonymous Author I have quoted, I ſhall ſpeak to it when I come down to thoſe Times. But this ſame Parliament made another Act which is alſo miſconſtrued, and for that Reaſon ought to be taken Notice of in this Place. It runs thus (*a*).

Item, *It is ordainit that the Wardane cheis ſic Deputis . . . as he ſtand for . . . and that the King gar aſſiſt him*,&c. that is, *cauſe he be aſſiſted*. Here ſay the Depreſſors of Sovereign Power, *the King is plainly directed, not to ſay, commanded in the weightieſt Affairs of the Adminiſtration*. To prove which, our Author (*b*) cites ſeveral Acts which ſeem to run in the ſame Strain, particularly that of *James* I. which is worded in this Manner, *The Parliament has determined and ordainit, that our Lord the King gar*, i. e. cauſe *mend his Money*. He ſtops here to avoid tranſcribing the Words that follow, *viz. quhen him lykis and thinkis it ſpeidful and profitable for the Realm*. By theſe and the like Acts, or Ways of ſpeaking, we ſee at leaſt that the Executive Power was ſtill in the Hands of the King; and that he had alſo the Legiſlative, is no leſs evident, ſince, as all the World knows, and I have juſt now evinced, the Parliament or Eſtates firſt derived their very Being from him, and could never meet, vote, nor make Laws without his joint Concurrence, and final Approbation; ſo that the Laws made by the Parliament, are what they are juſtly and truly called, the King's Laws. And why the King may not *be directed*, without the leaſt Derogation from his Royal Authority, by his own Laws or the Statutes of Parliament authorized and approved by himſelf, I do not ſee; nay, I frankly acknowledge that the Laws are Rules or Directions, by which if the King do not walk, he is anſwerable to, and puniſhable for it by his *ſuperior and direct Lord, God Almighty*. But if he ſhould do otherwiſe, that the Parliament, much leſs any private Subject can ask him, *What doeſt thou*, I poſitively deny. But of this enough at this Time.

The Earl of *Douglas* ſeeing himſelf diſcourted, and the Royal Power ſecured after the Manner I have related, took a raſh Reſolution of leaving his native Soil, over which he could no longer domineer, and of going Abroad to diſplay his Grandeur in foreign Countries; as if the Splendor of ſuch a Family, ſays *Buchanan* (*c*), could not have been contained within the too narrow Confines of one Iſland. Others (*d*) inſinuate, that he was moved by the Diſguſts which he had received at Court; and others (*e*), by Remorſe

Earl of *Douglas* goes to *Rome*.

(*a*) Black Acts, f 29. c. 15. (*b*) Hiſtor. Account of the Right of Parl. p. 24. (*c*) p. 164. (*d*) Hawthor. p. 76. (*e*) Godſ. p. 181.

Remorſe for the Slaughter of *Ochiltrie*; and that this being a Year of *Jubilee*, he deſigned to do Penance and receive Abſolution at the Sepulchres or Shrines of St. *Peter* and St. *Paul*. By the *Jubilee* or holy Year, *Roman* Catholicks mean a Time ſet apart by the Popes for granting Indulgences, that is, for diſpenſing in Favour of Sinners with the more rigorous and auſtere Penalties, impoſed upon them by the Canons of the Church; theſe publick, long, and ſevere Penances, often, if not always, undergone by the primitive Chriſtians, when guilty of heinous Sins, being by way of bore Indulgence changed into leſſer ones, and thought in a great Measure ſatisfactory, provided they who profeſſed themſelves to be Penitents, were really ſuch, confeſſing their Sins outwardly with their Mouths, inwardly repenting of them from their Hearts, and putting on withal a ſtrong Reſolution rather to die than to offend in the like manner again. This was certainly a good way to ſtir up Devotion in the Minds of the People, and to bring Offenders from time to time to a Senſe of their Duty; tho Proteſtants will ſcarcely allow the Church of *Rome*, eſpecially its chief Paſtor the Pope, to have had ſo pious a Motive. And it is moſt certain that the frequent Uſe of thoſe Indulgences (whatever the firſt Deſign might have been) degenerated at laſt into an Abuſe, and was one of the greateſt Occaſions of thoſe unhappy Diviſions, with reſpect to Religion, which ſtill continue in this Part at leaſt of the Chriſtian World. Pope *Boniface* VIII. was the firſt (*a*), who, in Imitation of the *Jews*, inſtituted the *Jubilee*, appointing it to be obſerved every 100 Year: *Clement* VI. brought it to 50, *Urban* VI. to 30, and *Sixtus* V. to 25, at which Times great Numbers of all Ranks of People reſorted from all Countries to *Rome*. But that Journey being ſo very laborious and chargeable, they have ſince *Jubilees* of their own allowed them; ſo that the Concourſe to *Rome* is not by far ſo frequent. However, the Earl of *Douglas* went thither, and with him his ſecond Brother Sir *James* (who being bred a Scholar, was, tho not in Orders, Expectant of the Biſhoprick of *Dunkeld*); as alſo the Lords *Hamilton*, *Gray*, *Seton*, *Salton*, *Olipbant*, *Forbes*, *Urquhart* of *Cromerty*, *Fraſer* of *Philorth*, *Lawder* of *Baſs*, *Campbel*, *Calder*, &c. Theſe Noblemen and Gentlemen were ſo numerous, and ſo well equipt, that as they made a very noble Figure in their Paſſage through *Flanders* and *France*, ſo they filled even *Rome* it ſelf with the Expectation of their Arrival. The Earl of *Douglas* was more particularly honoured and careſſed wherever he came, the Fame of his Anceſtors being yet freſh in thoſe Countries, and their Services at *Beauge*, *Vernueil*, &c. in the higheſt Eſteem with the *French* King, *Charles*, who ſtill lived, and gratefully remembred them. But while he triumphed in this Manner Abroad, he loſt Ground at Home; his Enemies (and all Men but they of his own Faction were ſuch) laying hold on the Opportunity, to repreſent the innu-

(*a*) See the Univerſ. Diction. compendized and printed, London 1703, Vol. 1. Word Jubilee.

merable Wrongs done or connived at by him. To be ſhort, the King was ſo much importuned by the Clamours of Complainers, that he could not refuſe doing Juſtice: But being willing to gain Time till the Earl himſelf ſhould return and make his own Defences, he cauſed him to be ſummoned to appear within a ſet Time; but inſtantly proceeded againſt one *Simington* his Bailiff, and afterwards againſt his Brother the Earl of *Ormond*, as being left his Truſtees and chief Managers of his Affairs; who, had they done their Duty and but ſhewed themſelves willing to be ſubject to Law, as no Harm was deſigned, ſo none or very little would have enſued. But the firſt, apprehending perhaps the Bias of the Judges, which did not incline to the Earl, refuſed to appear; upon which he was committed to Priſon, but ſoon after ſet at Liberty with orders to compenſate the Loſſes of the Injured out of the Earl's Revenues: And *William Sinclair* Earl of *Orkney*, being ſent to *Galloway* and *Douglaſdale* to ſee that mild Sentence put in Execution, was by the Inſtigation of the ſecond, and the Inſolence of the Vaſſals and Tenents in thoſe Parts deluded and diſappointed: Which obliged the King to declare them Rebels, and to treat them accordingly; for he marched in Perſon to thoſe Countries which he could not bring to Reaſon otherwiſe than by Force. The Caſtle of *Douglas* made a long and vigorous Reſiſtance, for which Reaſon he cauſed it be demoliſhed: That of *Lochmaben* yielded upon his Approach, and he left a Garriſon in it to over-awe the neighbouring Country. He ſhed no Blood but that of open Rebels, nor did he ſeize upon the Goods of any, but to reſtore them to the rightful owners, or to compenſate the Loſſes of the innocent; in ſo much that his gentle Deportment in that Expedition (*a*) met with Applauſe even from the Mouths of his Enemies.

Summoned to appear in Judgment.

His Brother and Vaſſals revolt, but are ſubdued by the King.

The Noiſe of it however ſoon reached the Ears of the *Scots* Pilgrims at *Rome*; and the Earl, who had before lived up almoſt to the Quality of a Sovereign, being all of a ſudden deſerted by his Followers or Fellow-Pilgrims, ſeemed now, ſays *Hawthornden* (*b*), to be ſcarcely above the Rank of a private Gentleman. But this is a Miſtake; for I find by a Paſſport (*c*), dated the 12th of *November* 1450, which he obtained from the King of *England*, where he reſolved to ſtay for ſome Time after his Return from *Rome*, that his Retinue was ſtill abundantly numerous: He himſelf is named in it in the firſt Place, and next to him his Brother Sir *James*, Sir *James Hamilton*, Sir *Alexander Hume*, Sir *William Cranſton*, Sir *Nicholas Campbel*, *John Clark*, *Andrew Gray*, *William Lawder*, *Thomas Cranſton*, *Andrew Kerr*, *Charles Murray*, *George Haliburton*, *John Doddes*, *John Greenlaw*, *George Finlaw*, *Alan Lawder* and *James Biſhop*; who, with eighty more in their Company, whether *noble or ignoble*, as the Record has it, were promiſed Protection and Safety within King *Henry*'s Territories during

Returns through *England*.

(*a*) Buch. p. 386. (*b*) p. 78. (*c*) Fœd. Angl. Tom. 11. p. 277.

ing the Space of three Years. They had done better in my Opinion, if they had ſtaid in *France* a friendly Country, and prevailed with King *Charles* their Maſter's Ally, or the *Dauphin*, the Archduke of *Auſtria*, the Duke of *Britanny*, the Earl of *Camphere* his Brothers-in-law, or his Father-in-law the Duke of *Gueldre*, or in fine, any Body rather than the King of *England*, to mediate their Peace; for to apply for Protection to this laſt, was in effect to court an Enemy, and conſequently to threaten their Sovereign. But their Sovereign was ſo good as to take no notice of that Injury; nay, we are told (*a*), that upon a Meſſage ſent by the Earl of *Douglas*, begging forgiveneſs, and promiſing Submiſſion, he not only permitted him to come Home, but alſo upon his Arrival re-admitted him into Favour, and made him Vice-roy or Regent. Which cannot be true; for the King was now about 20 Years old, and even during his Infancy, there had not been a Regent or Vice-roy in *Scotland*: But that he was re-admitted into Favour is moſt certain. For, Is reſtored to the King's Favour.

Very ſoon after this, *viz.* in *April* 1451, he was one of the Ambaſſadors appointed to go to *Newcaſtle*, in order to confer with others from *England*, about the Breaches of the late Truce (*b*). Thoſe joined in Commiſſion with him, were the Biſhops of *Dunkeld* and *Brechin*, the Earls of *Angus* and *Crawfurd*, the Lords *Somerville*, *Montgomery*, *Glammis* and *Gray*, Sir *John David* of *Murray* and *Alexander Nairn* of *Sandford*: But, it ſeems, they made no great Progreſs in their Negotiation at this Time; on the contrary it is probable, tho I dare not aſſert it, that the Earl of *Douglas* already meditating a Revolt from the King, ſet a counter Negotiation on Foot, with Deſign to ſecure a Back-door or Retreat to himſelf and his Aſſociates, in caſe they ſhould chance to ſtand in need of it. My Reaſon for this Conjecture, (for I can call it no more but a Conjecture, tho what afterwards followed inclines me to think it a moſt probable one) is this. I find that in the enſuing Month of *May* (*c*), a Protection for one Year was granted by the King of *England* to the Earl of *Douglas* and the following Perſons; Sir *James Douglas*, *Archbald Douglas* Earl of *Murray*, *Hugh Douglas* Earl of *Ormond*, all three his Brothers, Sir *Alexander Hume*, *James* Lord *Hamilton* Knight, Sir *William Meldrum*, Sir *William Lawder* of *Halton*, *Thomas Cranſton*, Sir *James Douglas* of *Ralſton*, *Alan* of *Cathcart*; Sir *David Hume*, Sir *John Roſs*, *George Alexander*, *David Hoppringle*, *William Baillie*, *George* and *Mark Haliburtons*, *Alan Lawder*, *Charles Murraſs*, *Thomas Bell*, *Thomas Graham*, *James Dunbar*, *Robert Herris*, *William Grierſon*, *John Menzies*, Mr. *Adam Auchinleck*, Mr. *John Clark*, *Thomas Ker*, *James Ker*, and to 67 more in their Company, *noble or* [illegible] *armed or unarmed, on Horſe or Foot*. Now that all or moſt [illegible] engaged in the after Revolt of the Earl of *Douglas* [illegible], and have therefore Reaſon to [illegible] Deſign in the Protection they A.D. 1451.

(*a*) Buchan. ubi ſup. (*b*) Fœd. Angl. Tom. 11. p. 283. (*c*) Ib. p. 284.

they now obtained; which tho it might have retarded, yet did not hinder the Treaty ſet on Foot by the above-mentioned Ambaſſadors. For, ſome Months after the granting of that Protection (*a*), Ambaſſadors were again ſent to *Newcaſtle*, in order to renew the Treaty; and the Perſons employed, were the Biſhops of *Glaſgow*, *Dunkeld*, *Brechin* and *Galloway*; *George* Earl of *Angus*, *Alexander* Earl of *Crawfurd*, *Alexander* Earl of *Huntley* and *Gordon*, *John* Lord *Lindſay* of *Byres*, *Patrick* Lord *Graham*, *William* Lord *Somerville*, *Alexander* Lord *Montgomery*, *Andrew* Lord *Gray*, Mr. *John Methven* Lord Regiſter, Sir *Alexander Hume* of *Hume*, *Alexander Nairn*, *James Parkle* and *Alexander Napier*. Theſe, or a Committee of theſe, agreed with the *Engliſh* Plenipotentiaries on the 14th of *Auguſt* (*b*), that the Truce ſhould be prolonged from the next Day, being the 15th of *Auguſt* 1451, till the 15th of the ſame Month 1454, that is, for three Years, and as much longer as it ſhould pleaſe either, or both the Kings to obſerve it, upon the ſame Conditions, and with the ſame Reſervations which were expreſt in the former Truce concluded at *Durham* in 1449; the Conſervators of the Peace, and the Proteſtations entred upon both ſides, being alſo the ſame.

Truce with *England*.

The Earl of *Douglas* relapſes into his former Miſdemeanours.

While the King and his Council were thus endeavouring to procure Peace to the Kingdom, the Earl of *Douglas* did all in his Power to diſturb it. Our Authors (*c*) lay many Crimes, which muſt have been committed about this Time, to his Charge; particularly, that he laid an Ambuſh for the Lord Chancellor, and thought to have killed that old but ſtill brave Stateſman, who not only made a Shift to eſcape, but ſome Days after found Means to drive his Enemy from *Edinburgh*; that he preſumed to put two Gentlemen of note in *Galloway*, Sir *John*, or rather *William Herris* of *Terreglis*, and one *Maclellan* Tutor of *Bombie*, both Chiefs of their reſpective Clans, to Death, and by way of Juſtice too, and notwithſtanding the King ſent *Patrick Gray Maclellan*'s Uncle to ſue for their Lives, and promiſe that Juſtice ſhould be done in the ordinary way; that to make good theſe Outrages, or perhaps with a farther View, he entred into a League offenſive and defenſive againſt all Mortals, the King himſelf not excepted, with the Earls of *Crawfurd*, *Roſs*, *Murray* and *Ormond*, the Lord *Balveny*, the Lord *Hamilton*, &c. that in fine, he went privately to the Court of *England*, with no good Deſign to be ſure, ſince in thoſe Days it was capital for any *Scotſman* to paſs the Borders, without Leave obtained from the King or his Officers. Indeed I find that he did go to *England*, or was to have gone [illegible] *uary* next Year 1452; but he was accompanied not only [illegible] is own Faction (*d*), ſuch as his Brother Sir *Ja*[illegible] *Hamilton*, but alſo by *William* Lord *Crich*[illegible] *omery*. About

Goes to the Court of *England*. A.D. 1452.

(*a*) Ib p. 286, 287, 293. (*b*) Ib. p. 293, 294, &c. (*c*) Boet. f. 372, 37[illegible] p. 386, 387, &c. Hawthor. p. 80, 81, &c. Godſ. p. 186, 187, &c. (*d*) Fœd. Angl. Tom. 11. p. 306.

About two Months before (*a*) the Abbot of *Melroſs*, the Lord *Gray*, Mr *John Methven*, Sir *William Edmonſton* and *Alexander Napier* had gone thither with the Character of Ambaſſadors, probably to deſire that ſome *French* Ambaſſadors, who, as they were coming to *Scotland*, had been apprehended, and committed to Priſon in *England*, might be ſet at Liberty; but that Favour was refuſed at that Time, as appears by a Letter, in other Reſpects very civil, from King *Henry* to King *James*, dated at *Weſtminſter* 25th *January* 1452. Now it ſeems that theſe Ambaſſadors, but more particularly the Lord *Crichton*, being at the *Engliſh* Court with the Earl of *Douglas*, ſet Spies upon him, and made ſuch treaſonable Diſcoveries, as obliged the King to look to himſelf: For the Earl was no ſooner returned to *Scotland*, but the King ſent to him, deſiring his Attendance at Court: But he (as Guilt is always conſcious to it ſelf) would not go thither without a ſafe Conduct under the King's Hand and Seal, for himſelf and thoſe in his Retinue. As this was inſolent to the higheſt Degree, ſo it was contrary to a late Act of Parliament, by which the King's Peace had been proclaimed, and declared to be a ſufficient Security for Life and Fortune to all Men. The ſafe Conduct was nevertheleſs granted in the ſtrongeſt Terms, and moſt ample Form. Upon which the Earl, with little leſs than an Army of Followers went to *Stirling*. The King received him graciouſly; nay, it being *Shrove-tueſday* or *Faſten's-Even*, a Day uſually ſpent in Feaſting and Mirth, he invited him to Supper; which being over, he withdrew with him to another Apartment in the Caſtle, a few of the Servants or Counſellors attending at a Diſtance: Then he told him, what a gallant and loyal Family that of the *Douglaſſes* had always been, how much, and how deſervedly till of late they had been honoured by the Kings his Predeceſſors and Progenitors; what Eſteem and Kindneſs he himſelf had for all of that Houſe, but more particularly for the Earl himſelf, that to advance him to the Lieutenancy, the higheſt Poſt in the Nation, and his Kindred to Honours and Eſtates, he had turned off both the Lord *Livingſton* and Chancellor *Crichton*; nay, that at his Deſire, he had given way to their being perſecuted, and puniſhed as Criminals; that of late indeed, he had taken them again into his Favour, being willing that they and all others ſhould taſte of it; but that being come to the Age of a Man, he reſolved to govern by himſelf, and wondred that the Earl of *Douglas*, once in a Manner his Tutor and ſtill his Favourite, would go about to diſturb his Government. Then he touched gently upon the many Offences always pardoned by him, and no ſooner pardoned, but repeated by the Earl; adding withal, that he was yet willing, not only to forgive, but to forget whatever he had done amiſs, provided the Earl would once more return to his Duty, and, as a Proof of his Sincerity, begin with the Diſſolution of that odious League, which he a Subject

And to that of *Scotland* at *Stirling*.

(*a*) Ib. 302.

had made with Subjects in Defiance of Royal Authority, and directly in Oppoſition to the Laws, known ſtanding Laws, particularly that againſt *Leagues and Bands* (*a*) made in the ſecond Parliament held by his Father King *James* I. The Earl anſwered ſubmiſſively with reſpect to all the Points his Majeſty had inſiſted upon, but that concerning the League; which, after much Debate and ſome hot Words, he poſitively refuſed to cancel, without the common Conſent of his Accomplices. Upon this, the King being young, fiery, and jealous of his Authority, entred, or ſeemed to enter into a Paſſion, and with theſe Words, *If you will not break it*, (meaning the League) *by God I will*, he drew his Dagger, and ſtabbed the diſobedient Earl to the Heart, who falling at his Maſter's Feet, ſoon breathed out his laſt; tho ſome ſay, that the Byſtanders, particularly *Patrick Gray* his own Kinſman, but who had been a late Witneſs of his outragious Cruelty, helped to diſpatch him.

Is killed by the King.

I have ſaid, that the King entred or *ſeemed* to enter into a Paſſion; for many did ſuſpect, and *Godſcroft* (tho he brings no Voucher to prove his Aſſertion,) is poſitive, that the Slaughter of the Earl was premeditated and contrived before hand, by his Enemies, eſpecially the Lord *Crichton*; upon which Aſſurance he has left to Poſterity the following *Diſtich.*

Me lætho ante diem, Crichtonus, *Reſque dederunt*,
Ille necis cauſam, præbuit iſte manum.

By *Crichton* and my King too ſoon I die;
He gave the Blow, *Crichton* the Plot did lay.

If he did lay the Plot, he was certainly in the right to contrive it in ſuch a manner, as that the King himſelf ſhould give the Blow: But to me it ſeems not probable that there was any ſuch Plot; or if there was, I dare ſay, that ſo accompliſhed a Politician as the Lord *Crichton*, could not be the Contriver of it. He had but a few Years before put to death, in the Caſtle of *Edinburgh*, another Earl of the ſame Family, together with his only Brother. But becauſe he had not alſo extirpated the Family it ſelf, by diſpatching the lineal Succeſſors, he found that he had done nothing to Purpoſe, for inſtead of one Enemy, with whom it was poſſible to effect a Reconciliation, he made all who could ſucceed to him irreconcilable; and of theſe there were a great many ſtill living, namely this laſt Earl *William*, his Father, and no leſs than five Brothers: Now of theſe five Brothers, four were in the Town of *Stirling*, when the eldeſt was killed in the Caſtle; and why were they ſuffered to eſcape? In good Policy all, or none of them ſhould have been put to Death at the ſame time, the Death of one being of no Uſe, but to heighten Reſentment, and to create revenge in the Remainder: And it is obſervable, that the King was not at all pre-

(*a*) Black Acts, f. 6, c. 33.

prepared for, nor guarded againſt the Reſentment of the ſurviving Brothers, who were at hand with an Army of Followers. So that what the King did, cannot in Reaſon be thought to have been the Reſult of Deliberation and Counſel, but only the Effect of a ſudden unpremeditated Paſſion; and that ſo young a Man, endowed with ſo high a Spirit, and placed in ſo eminent a Station, ſhould have been by the Inſolence of an ungrateful Subject, who for his other Crimes deſerved to die, incenſed to the higheſt Degree, is, in my humble Opinion, no Matter of Wonder. It is true that he had granted a ſafe Conduct to the Earl; and ſafe Conducts are like the publick Faith, upon which they are grounded, inviolable: But as inviolable as they are, and ought to be, they do not ſecure thoſe who receive them from the puniſhment of Crimes committed after their being granted, much leſs from the haſty, unpremeditated Effects of a juſt Indignation. So much, I think, may be ſaid in Vindication (if any ſuch thing can be vindicated) of that raſh unadviſed Blow, which the youthful Sovereign gave to his ſtubborn, inſolent, and ſo often rebellious Subject. I call it *a raſh unadviſed Blow*; for I cannot think that he gave it by Advice of any about him; tho others go yet farther, and plead the *Reaſon of State*, which, as they "pretend, often allows Sovereigns, whether ſingle Perſons, as "King *James* was, and all Kings are; or many, ſuch as the "Heads and chief Magiſtrates of Republicks, as for inſtance the "*Ephori* in *Lacedemon*, and *Council* of *Ten* in *Venice*, to do theſe "Things upon extraprdinary Occaſions, which otherwiſe "would be equally unlawful and odious. That as Laws are "nothing elſe but Rules or Maxims of Government, by which "Sovereigns ought to ſquare their Actions as much as poſſibly "can be, ſo Forms of Juſtice are ſet down to be obſerved, on-"ly ſo far as is poſſible. That therefore, when the Crime is no-"torious, and the Criminal by his exorbitant Power and Contu-"macy, skreen'd from Juſtice, and above Law, the ordinary "Forms my be diſpenſed with. That the King did not act ſo much "againſt Law in killing the contumacious Earl, tho guarded by a "ſafe Conduct, as he had done in granting that very ſafe Con-"duct, contrary to an expreſs Act of Parliament. That he who "had ſo often violated his Allegiance to the King, and killed ſo "many Subjects, deſerved himſelf to be ſlain, and could not "grudge that Faith had been broken with reſpect to him, who had "never kept it to any, but his Aſſociates in Rebellion. That he "died more gloriouſly by the Hands of his Prince, than he could "have done by thoſe of a publick Executioner. That in fine, "Neceſſity admits of no Law, and that Laws were never deſign-"ed to protect ſuch daring Offenders who deſpiſe their Authori-"ty, and live, and breath, and act in Defiance of them. Thus they. For my part, I dare not venture to approve, even in Kings and Sovereign States, of ſuch Actions, as, if they were allowable, would

tend not ſo much to make their Power arbitrary, (for all Powers are and muſt be ſuch, when in the laſt Reſort) as to leſſen the Confidence repoſed in their Faith; without which, it is plain, that Sovereignty it ſelf cannot ſubſiſt. On the contrary, I am of the Opinion of that Prince, who ſaid, That *if Faith was baniſhed from the reſt of the World, it ſhould be found in the Breaſts of Kings!* But this is certain, that ſuppoſe King *James* did an ill as well as a raſh thing in killing the Earl, he was anſwerable for it to none but God. The Leaguers, no doubt, knew ſo much; for they were Chriſtians, and had been taught, that *Revenge belongs unto the Lord*, that the Perſon of the *Lord's Anointed* is not to be touched, and that no *leſs than Damnation* is due to *Reſiſtance*. Beſides, they had ſeen the old Laws, and late Acts of Parliament, by all which Rebellions of all Sorts were under the ſevereſt Penalties prohibited. But they had no regard, either to the Laws of God, or thoſe of the Land. For,

His Confederates rebel.

They no ſooner heard of what had paſt in the Caſtle; but they ran to Arms, and filled the whole Town with Confuſion and Fear; nay, Sir *James Douglas*, by them, and afterwards even by the King acknowledged Earl in the Room of his deceaſed Brother, was ſo forward, as to move that the Caſtle might be inſtantly inveſted. But that Propoſal was rejected, not out of any Reſpect to the King's Perſon, or Deference to the late Act of Parliament; but becauſe they wanted Neceſſaries to carry on a Siege. They agreed therefore to go Home to their reſpective Habitations, but with a Deſign to return in greater Numbers, and better provided. They came back accordingly in the End of *March*, or Beginning of *April*, and as they entred the Town, they tied the ſafe Conduct, which had been granted to the late Earl, to the Tail of an Horſe, and dragging it through the Streets, uttered the moſt opprobrious Language imaginable againſt the King and his Council. When they came to the Croſs or Market-place, they proclaimed, by the Voice of an Herauld, the King himſelf, and all that were with him, perjured, Convenant-breakers, and Enemies of Mankind, a great many Trumpets, *Buchanan* calls them 500, ſounding aloud, and terrifying the defenceleſs Place; which, as if it had been conſcious of their Chiftain's Death, they firſt plundred, then ſet on Fire; yet made no Attempt upon the Caſtle, probably becauſe their Forces were neceſſarily divided, in order to oppoſe the Royaliſts, who alſo drew together for the Defence of their Maſter. Among theſe laſt, the Earl of *Angus*, tho of the Name and Family of *Douglas*, and Sir *John Douglas* of *Dalkeith* were eminent, and therefore principally aimed at by the Rebels; who, (after having deſtroyed their Lands with Fire and Sword,) at laſt ſat down before the Caſtle of *Dalkeith*, vowing never to depart from it, till they had taken and levelled it with the Ground. But *Patrick Cockburn*, a Gentleman of the ancient Family of *Langton* in the *Mers*, who was Captain or Governor of it at the Time, made ſuch a vigorous Defence, as ren-

Burn the Town of *Stirling*.

Beſiege *Dalkeith*.

dred

dred their Efforts ineffectual, and forced them to raiſe the Siege with conſiderable loſs of Men, Money and Time.

Neither was the King himſelf idle; he ſet himſelf at the Head of ſuch Loyaliſts as were neareſt to Court, and with them marched in Queſt of the Rebels; but found them ſo numerous, that he could not without Temerity engage them, ſo that all the Glory of their Defeat was left to *Alexander* Earl of *Huntley*. That valiant Nobleman, the Succeſſor and Anceſtor of a long, untainted, and in all Reſpects, illuſtrious Race of Worthies, made haſte to reſcue his Royal Maſter; and did it with that Succeſs, that in a ſhort Time he routed one, and diſperſed another Army of the Rebels; by what Means I ſhall relate at full length in his Life. I muſt only tell in this Place, that the Overthrow which he gave to the Earl of *Crawfurd*, one of the Heads of the League at *Brechin*, was ſo complete, that it not only fixed the tottering Crown upon the Head of the King, as all Authors acknowledge; but alſo (what none of them knew of) brought all his Enemies, the Earl of *Douglas* himſelf not excepted, to Submiſſion, and that much ſooner than the Wit or Forecaſt of Man could have expected.

Loyalty, Courage, and Succeſs of the Earl of *Huntley*.

The Earl of *Crawfurd* was the firſt, who, departing from a League which was like to prove ſo fatal to him, threw himſelf upon the King's Mercy, and did it in the moſt ſubmiſſive Manner imaginable. For as the King was making a Progreſs through *Angus*, he came to him in a penitential Habit, and falling down on his Knees, with Tears in his Eyes, Sorrow in his Face, and his Hands extended towards the Heavens, acknowledged his Fault, pleading Pity rather to his Houſe, which had ſo long flowriſhed, than to his Perſon. The King could not help being moved with Compaſſion, at the Sight of ſo great a Man, now ſo effectually humbled; and the excellent Biſhop *Kennedy*, who was preſent, failed not to do his Duty on that Occaſion: For tho he had formerly been much injured both by this Earl and his Father, he now turned an Advocate in his Behalf; nor had he afterwards Reaſon to repent of that Heroick and Chriſtian Action; for the Earl kept his Promiſe, and did all he could while he lived to atone for his former Miſcarriages: But he lived not long, being, few Months after, cut off by an Ague in his own Houſe of *Finnevin*.

The Earl of *Crawfurd* ſubmits to the King.

His good Example however, had no ſmall Influence upon the reſt of the Leaguers; but no Example, nor Loſs, nor Reaſon could prevail with the Earl of *Douglas* their principal Leader, to hearken to any Terms, with which the Sovereign could comply; ſo that all this and the two following Years were ſpent in perpetual Hoſtilities, both Loyaliſts and Rebels doing all the Miſchief to their common Country, Wit could contrive, or Fury effect. So ſay all *Scots* Authors, who have been at the Pains to enlarge upon this Subject: But, as I have inſinuated above, they are certainly in a Miſtake; for I find that on the 18th of *April* 1453 (*a*),

Scots Authors corrected.

AD. 1453.

(*a*), King *James* appointed *James* Earl of *Douglas* and *Annandale*, Lord of *Galloway*, &c. *Richard* Abbot of *Dumfermling*, and *Robert Liddel* of *Balmure*, to go to *England*, in the Quality of Ambaſſadors. A plain Demonſtration, that before this Time, the Earl of *Douglas* had made his Peace with the King; nay, he diſcharged his Truſt abundantly well, for being at *London* on the 23d of *May*, he and the *Engliſh* Plenipotentiaries agreed (*b*) that the Truce ſhould be prolonged from the 1ſt of *May* inſtant 1453, to the ſame Day of *May* 1457, and as long after, as either, or both Kings ſhould think fit, upon the Conditions, and with the Reſervations expreſt in the two laſt Treaties made to the ſame Purpoſe. The Conſervators of the Peace were alſo continued as before, and the Earl of *Douglas* proteſted for the *debatable Lands* in behalf of his Maſter King *James*, as did the Earl of *Sarum* in behalf of King *Henry*. This, I take it, is a ſecond Demonſtration, that Earl *James* was reconciled to, and pardoned by the King, after the rebellious Reſentment which he expreſt upon the Death of his Brother Earl *William*. It is alſo an evident Proof, both of the Clemency of the one, and Perfidy of the other: For a ſecond Rebellion immediately enſued, and the Occaſion of it, if I am not far out in my Conjecture, was this. Earl *William*, to aggrandize his Family, had married, not *Beatrix*, but *Margaret the Fair Maid of Galloway*, in Defiance of the Canons of the Church and Will of the King; but he had no Iſſue by her: From whence this Earl *James* concluded that ſhe ſtill remained a Virgin, and being poſſeſt with the ſame Ambition and Covetouſneſs that had ruined his Brother, purſued his Purpoſes by the very ſame Means: For he ſought a Diſpenſation from the Pope to marry his Brother's Widow, and that being denied, he nevertheleſs took her to his Bed, and called her his lawful Wife, pretending thereby an unqueſtionable Title to her vaſt Eſtate; a Pretenſion which the King would by no means allow of. So ſay all Authors. But, to put the Matter in a clearer Light, than that in which it has hitherto appeared, I muſt take Notice, that in *July* laſt Year, about five Months after the Slaughter of Earl *William*, *Beatrix*, called in the *Engliſh* Record (*c*) Counteſs of *Douglas* and *Annandale*, and in a *Scots* Act of Parliament (*d*) the Mother of Earl *James*, and *Margaret*, called in the Record Counteſs of *Douglas* and *Annandale*, and Lady of *Galloway*, Conſort of *William* late Earl of *Douglas* and *Annandale*, retired from *Scotland* to *England*, where probably they remained till this Year, when Earl *James* having in appearance reconciled himſelf to the King, procured himſelf to be alſo ſent thither with the Character of Ambaſſador, under Pretence of renewing the Truce, but in Reality to bring about a Marriage between himſelf and *Margaret* his Siſter-in-law. To effect this, he ſtood in need of her own Conſent and the Pope's Diſpenſation,

James Earl of *Douglas* reconciled to the King.

Renews the Truce with *England*.

Marries his Brother's Widow.

(*a*) Fœd. Angl. Tom. 11. p. 323. (*b*) Ib. p. 327, 328. (*c*) Ib. p. 310. (*d*) Black Acts, f. 36.

penſation. But neither the one nor the other was ſo eaſily obtained as he had imagined; for tho the Lady, being in a foreign Country, and deſtitute of all Advice, but that of *Beatrix* her Mother-in-law, a vindictive Woman, was prevailed upon to give her Hand to him, as to a lawful Husband, yet ſhe afterwards repented of it, and ſtealing away from him, when a fit Opportunity offered, returned to *Scotland*, addreſſed the King, pleaded Compulſion, and ſubmitted her ſelf and her Fortune to his Diſpoſal. Her Beauty, and Quality, and Sex, and Tears, and perhaps her Innocence prevailed; in ſo much that he gave her the Lands of *Balveny* in lieu of her own, and beſtowed her in Marriage upon his own Brother uterine the Earl of *Athole*. But if the Earl of *Douglas* found it difficult to obtain the Lady's Conſent, he well judged that he would meet with yet greater Difficulties, with reſpect to the Pope's Diſpenſation. He therefore reſolved to undertake, as his Brother and himſelf had done before, a Pilgrimage to *Rome*, where he thought his own Preſence would remove all Obſtacles. He took Care to colour his real Deſign with the Varniſh of Piety, and perhaps Remorſe for his former Rebellion, giving out that he wanted to do his Devotions at the Sepulchre of the Apoſtles. This Trick took ſo very well, that not only all the great Men of his Party would needs go with him; but alſo a great many more, whoſe Names are too numerous to be tranſcribed in this Place, but may be ſeen in Mr. *Rymer*'s Collections; for they obtained Paſports from the King of *England*, having, it ſeems, a mind to paſs through that Kingdom. The moſt remarkable of theſe Pilgrims were (*a*) *James*, called in the Record Earl of *Douglas*, *Wigton* and *Annandale*, and Lord of *Galloway*, *Archbald Douglas* Earl of *Murray*, *Hugh Douglas* Earl of *Ormond*, *John Douglas* Lord of *Balveny*, Mr. *John Clerk* Rector of *Kirkbride*, *John Shaw*, *Mark Haliburton*, *John Fraſer* and *John Uthred* Chaplains, Mr. *William Harris* Rector of *Kirkpatrick*, Lord *James Douglas* Provoſt of *Dalkeith*, *David Ford*, &c. as alſo *James* Lord *Hamilton* Knight, *James* Lord of *Livingſton*, *Archbald Dundaſs*, *Gavin Hamilton* Provoſt of *Bothwel*, *John Hamilton*, *Robert Hamilton*, *David Fleming*, *William Baillie*, *Thomas Forreſt*, &c. *William* Biſhop of *Glaſgow* (*b*), and a great many more in his Company, had likewiſe Paſports for the ſame Purpoſe. Now, whether theſe Perſons did actually go to *Rome*, or if they only gave out that they were to go, that they might have a Pretence to form their Cabals in *England*, I cannot tell: But it is certain, as I ſaid before, that the Earl of *Douglas* did not obtain a Diſpenſation, and that he nevertheleſs took to Bed his Siſter-in-law as his lawful Wife, and in her Right laid Claim to the Lordſhip of *Galloway*. This, I ſay, the King would by no means allow of; and this, I have Reaſon to think, was the greateſt Occaſion of the War, both civil and foreign, that enſued.

Goes to *Rome*.

(*a*) Fœd. Angl. Tom. II. p. 326, 327. (*b*) Ib. p. 343.

While the *Douglaſſes* were in *England*, or at leaſt abſent from Court, a Parliament met at *Edinburgh* (*a*), to which the Earl of *Douglas*, his Mother and Brothers were ſummoned, in order to anſwer for ſuch Crimes as ſhould be laid to their Charge; but by this time, they had taken Meaſures for Defence, and refuſed to obey. Upon which they were declared Rebels, and their Lands and Goods confiſcated. This done, the Parliament was diſmiſſed, and the King made haſte to put in Execution the Sentence which had been pronounced againſt the Earl of *Douglas* and his Adherents. He marched firſt into *Galloway*, which Country he ſeized into his own Hands without Oppoſition; but becauſe the Inhabitants of *Douglasdale* preſumed to reſiſt, he abandoned them and their Goods to the Diſcretion of his Souldiers. From thence he proceeded to beſiege the Caſtle of *Abercorn*, whither he was followed by a ſuperior Army, and the Earl of *Douglas* at the Head of it. But the Earl's Men, when they came in View of the Royal Standard, were ſo far from expreſſing their wonted Alacrity and Reſolution, that on the contrary a ſudden Paleneſs appeared in moſt of their Faces, and they marched more like Criminals going to receive their Doom, than Soldiers deſirous of Triumph, and longing for Action. It was no Wonder, for Rebellion was not as yet, at leaſt in *Scotland*, miſcalled Religion, and Men had not hitherto been taught to plot, and lie, and fight, and kill even the Lord's Anointed, *in the Fear of the Lord*. The King's Laws were indeed frequently violated by daring Grandees, but his Perſon had ever been thought ſacred, but by theſe miſerable Wretches, who, without a Precedent murdered his Father; ſo ſacred, that even according to *Godſcroft*, when the Earl of *Douglas* himſelf conſidered that it was his King he had to do with, his natural Affection, and the regard of a Subject towards his Prince, returned, and took again Poſſeſſion of his Heart, as the proper Lodging where it had been harboured before. This is the Reaſon that Author gives for his declining to fight on this Occaſion, when, in the Judgment of his Friends, he had a fair Lay for no leſs than the Crown. I ſhould be willing to take *Godſcroft*'s Word for this favourable Conſtruction, which he puts upon the Earl's Backwardneſs, did he not alſo (*b*) extol the ſame Earl for his chooſing to be deprived of Support and Protection from *England*, rather than become a Subject of, and ſwear Allegiance to that Crown: But, to my great regret (*c*), I certainly know that he did ſwear Allegiance to, and become a *Liege-man* of King *Henry*; ſo that I am at a Loſs to determine whether he declined to fight the King, out of a Principle of Duty and Reſpect for his Perſon, as *Godſcroft* would have us to believe; or, as we are told by others, from a juſt Apprehenſion, that his Men, being already frightned at the very Sight of the Royal Banner, would never ſtand their Ground.

Declared a Rebel.

Meets the King at the Head of an Army.

Declines to fight.

(*a*) Boet. p. 377, 378, &c. Hawthor. p. 95, 96, &c. Godſ. p. 202, 203, &c. (*b*) p. 200, 201. (*c*) Fœd. Angl. Tom. 11. p. 381.

Ground in Oppoſition to it. It is certain however, that juſt as the two Armies were about to engage, he commanded that under his own Conduct to halt, and ſo encamped that Night at no great Diſtance from the King: But the next Morning nothing was to be ſeen in his Camp, but the Camp it ſelf, or rather the ſolitary Place on which he had pitched it. Sir *James Hamilton*, who, next to the Earl's own Brothers, had till now appeared his faſteſt Friend, was the Cauſe or Occaſion of this ſudden Turn of Affairs; for he deſerted the Earl and went over to the King: And the Reaſon he is ſaid to have given for his Conduct in that Matter, was, becauſe he foreſaw that the Earl, having, contrary to Reaſon and the Advice of his Friends, failed to put an end to his Quarrel by a glorious Death, or ſignal Victory, would never again have the like Opportunity. He told ſo much to the Earl before he left him; but what Reaſon he gave to the King, either for his former Tranſgreſſions, or preſent Converſion, no Author relates, and I ſhall not pretend to gueſs. This is certain, that after he had been a ſhort Time confined to the Caſtle of *Roſlin*, which belonged to the Earl of *Orkney*, a Favourite of the King, he was not only pardoned, but highly favoured; in ſo much, that, if we may believe either *John Major* (*a*), or *Hector Boece* (*b*), his Majeſty promiſed to give him his own eldeſt Daughter in Marriage; nay, *Boethius* inſinuates, that ſhe was actually contracted to him by her Father. But of this afterwards. The King's Behaviour in this reſpect proceeded, I believe, from three Cauſes. The firſt was the Loyalty of Sir *James*'s Father, the old Lord *Hamilton* (*c*), who, notwithſtanding his Son and Heir was an active Man among the Leaguers, ſat and voted in that Parliament, by which they were declared Rebels. The ſecond was Sir *James*'s perſonal Merit, the King being of Opinion that ſuch an active Enemy, if won over to be hearty in his Duty, would be a very uſeful Friend. And the third was mere Gratitude for the great and cheap Victory Sir *James* had gained him: For by his Deſertion that formidable Army of Rebels, that threatned the very Throne, was diſſipated without Blood; and by his Example moſt of the leading Men among them were brought to Submiſſion; in ſo much that the almoſt impregnable Caſtle of *Abercorn* was taken and demoliſhed, and the Earl of *Douglas*, being abandoned by all but his own Brothers and a few domeſtick Servants, was fain to flee from the Kingdom, where now he had not ſo much as a Spot of Land to afford him Subſiſtence, nor a hidden Cave to guard him from the Sword of Purſuers.

Is deſerted by his Followers.

Sir *James Hamilton* received into the King's Favour.

The Earl of *Douglas* flees to *England*.

He nevertheleſs appeared again very early the next Year 1455 in *Annandale*, with a ſmall Company, ſays *Godſcroft*; with a *Power*, that is, a Multitude, ſays *Hawthornden*, of *Out-laws*, *Felons*, *Bankrupts*, *and ſuch as lived by Rapine*, both *Scots* and *Engliſh*. Such Men, if

A.D. 1455. Invades *Scotland*.

(*a*) f. 142. (*b*) f. 377. (*c*) Act of Parliam. extant among the Records.

if they were really ſuch, could not fail of doing a great deal of Miſchief; but to their Coſt, for the Earl of *Angus* the King's Couſin by his Mother *Mary*, a Daughter of King *Robert* III. aſſiſted by the *Maxwells*, *Johnſtons* and *Scots*, encountred his Chief, whoſe Rebellion both he and the *Douglaſſes* of *Dalkeith* had ever oppoſed, and having drawn him to an Engagement, won the Day. The Head of his Brother the Earl of *Murray*, who fell on the Spot, was ſent to the King, and another of his Brothers, the Earl of *Ormond*, was made a Priſoner, and afterwards executed, *with greater regard*, ſays *Godſcroft*, to this laſt Action, than Reſpect to the Victory which he had formerly gained over *Magnus with the red Mane*, at the *Sark*, a River not far diſtant from the Place where he was now apprehended: As if the Victories of a great Man over Foreigners, were ſufficient to atone for Conſpiracies, Inſolencies and Treaſons encouraged and committed by him at Home. The Lord *Carliſle* and ... *Johnſton* of *Johnſton* diſtinguiſhed themſelves upon this Occaſion, and the 40 *Lib.* Land of *Pittinen* upon *Clyde* was divided betwixt them, as a reward of their Valour. The Earl of *Douglas* himſelf, and his third Brother the Lord of *Balveny*, eſcaped with great Difficulty into a Forreſt, and from thence wandred, ſay our Authors, to the remoteſt Highlands, where the Earl prevailed with *Donald* Earl of *Roſs* and Lord of the *Iſles*, an old Confederate of his Family, to revolt. But it is more probable, that he went firſt to the Court of *England*; for I find, that on the 7th of *Auguſt* 1455, he obtained (*a*) from King *Henry* VI. *for good Services to be done*, a Grant of a yearly Penſion of 500 *Lib.* till he ſhould recover all, or Part of the Eſtate taken from him by *the Perſon who calls himſelf King of* Scotland. From whence it is evident that this King *Henry*, who, by the Favourers of his unjuſt Title to the Crown of *England*, which he enjoyed by the Uſurpation of his Father and Grandfather, is extolled as a Saint, was nevertheleſs at this Time prevailed upon to eſpouſe the Quarrel of a rebellious Subject againſt his Sovereign. A ſcandalous Politick, of which he and many other Princes have repented when too late. But this Injuſtice was ſo much the greater in him, becauſe the Truce concluded in 1453, did not expire till the firſt of *May* 1457; and yet we ſee, that in 1455, he treats the King of *Scotland*, as if he had been only nominally ſuch. However, the provident King *James*, to guard againſt the Intrigues of the Rebels in *England*, and to ſhew how much he relyed on the Affection of his better Subjects, appointed a Parliament to meet (*b*) at *Edinburgh* on the 9th of *June*, in which the Sentence of Forfeiture, formerly given againſt the Earl of *Douglas*, his Mother, Brothers and Abettors, was confirmed. Which being done, the Parliament was adjourned till the 4th of *Auguſt*, when a great many loyal and wiſe Statutes were made, which, if they had been as religiouſ-

Is defeated.

One of his Brothers killed, and another beheaded.

The Earl of *Douglas* becomes a Penſioner to King *Henry* VI. of *England*.

Who breakes the Truce with *Scotland*.

A Parliament called.

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(*a*) Fœd. Angl. Tom. 11. p. 367. (*b*) Black Acts, f. 34, 35, 36, 37, &c.

ly obſerved, as they were prudently contrived, would have kept the great Families within Bounds, ſecured the Property of the Subjects in general, made the Sovereign as great and rich, as a King of *Scotland* could reaſonably wiſh to have been, and by Conſequence cut off all after-Occaſions of Diſſatisfaction on any ſide. By the firſt (*a*), beſides the whole Cuſtoms of *Scotland*, a great Part of which was given away in Penſions to different Perſons, a great many Lands and Caſtles, formerly alienated, or lately forfeited by the Leaguers, were for ever annexed to the Crown. The Statute is expreſt in the following Terms, which, to ſhew the profound Wiſdom and great Loyalty of that Parliament, I ſhall tranſcribe, only allowing my ſelf the Freedom of altering ſuch Words as would be otherwiſe, at leaſt to the *Engliſh Reader*, unintelligible. Excellent Laws.

" Foraſmuch as *the Poverty of the Crown is often the Cauſe of* " *the Poverty of the Realm*, and is the Occaſion of many Inconve- " niencies, which it would be tedious to expreſs; *by the Advice of the* " *full Council of Parliament*, It is ſtatuted and ordained, that there " be Lordſhips and Caſtles inſeparably, and for ever annexed to " the Crown, in every Part of the Kingdom, for the King's Reſi- " dence, wherever he ſhall chance or think fit to be; the which " Caſtles and Lands may not be given away to any Perſon of " whatſoever Rank or Quality, without *Advice*, *Deliverance and* " *Decrect of the whole Parliament*, and for great and reaſonable " Cauſes. And altho our Sovereign Lord that now is, or any of " his Succeſſors ſhould alienate or give away any of the ſaids " Lordſhips, Lands and Caſtles, all ſuch Alienations and Diſpo- " ſitions are hereby declared void and null; in ſo much that the " reigning King may lawfully retake, or ſeize upon the Lands " ſo alienated, when he pleaſes (*when ever him lykis*) to his own " Uſe, without *any Proceſs* or Form of Law; and the Perſons " who did thus unwarrantably poſſeſs them, be obliged to refound " to the King all the *Profits* or Revenues which they enjoyed, while " they were in Poſſeſſion. And it is further enacted, That our " Sovereign Lord that now is, oblige himſelf by an Oath, which " is alſo to be taken by all his Succeſſors Kings of *Scotland* at their " Coronation, to obſerve this Statute in all its Parts.

Could any King and Parliament, or could the Prudence and Forecaſt of Men do more to bear down the Avarice of Courtiers, the Ambition of great Families, and the miſapplyed Generoſity or Gratitude of Princes, than this King and Parliament did? And yet (ſuch has been the Misfortune of the Nation,) after-Kings have been again and again prevailed upon to impoveriſh themſelves, and thereby aggrandize ungrateful Subjects; who, having firſt, contrary to Law, ſeized upon the Spoils of the Crown, have afterwards made uſe of them to pull it from the Heads of their Benefactors. Whereas, had our Sovereigns but

(*a*) c. 43.

kept their own, we ſee they had enough to maintain their Grandeur, and conſequently to ſupport their Friends and awe their Enemies. It was with the ſame View, I mean to ſecure the Sovereignty, and prevent private Families from being able to vie with it, as the *Douglaſſes* had done, that the Parliament alſo ordained (*a*), that henceforth no Office, eſpecially that of Guardian of the Marches, ſhould be hereditary; That all ſuch Offices as had been given ſince the Deceaſe of the late King to any in Fee and Heritage, except that of Guardian of the Marches granted by the King to his Son *Alexander* Earl of *March* and *Annandale*, ſhould be revoked, and that no Lands ſhould be erected into Regalities without Conſent of Parliament. Theſe were indeed Reſtraints or Limitations upon the Sovereign, but as they were approved of by the Sovereign himſelf, ſo they were evidently deſigned for his Advantage; and his Advantage, if rightly conſidered, is ever inſeparable from that of the Publick, tho, as in the preſent Caſe, the Ambition and Covetouſneſs of private Men may be thereby depreſſed.

This loyal Parliament, having made theſe and ſome other Statutes of leſs Moment, but to very good Purpoſe, was again adjourned till the 12th of *October*, when meeting at *Stirling* (*b*), and being certainly informed that the King of *England* had violated the Truce at the Inſtigation of the Earl of *Douglas*, and was making great Preparations in order to an open War, they laid down Meaſures towards enabling the King and Country to defeat any Attempts that could be made againſt them. "In the firſt Place, "they thought it *ſpeidful* (*c*), that is, it was their Advice, that "fit Perſons ſhould be appointed to guard the Paſſages betwixt "*Roxburgh* and *Berwick*, and to watch at certain Places and Fords "of the River, in order to diſcover, and advertiſe the Country of "the Approach of an Enemy; which they were to do in this "Manner. They, for Example, who watched at the Ford near "*Hume*, upon the Enemy's Approach were to *make a Bail*, that is, "ſet on a great Fire at *Hume*, which being ſeen by the neighbouring Country. Bails were in the ſame Manner to be made at "*Dunbar*, *Haddington*, *Dalkeith*, the Caſtle of *Edinburgh*, *Stirling*, "*Dumbarton*, &c. as alſo at *Eggerhope* Caſtle, *Soltray-edge*, and on "the Sea Coaſts, as at *Dunpender-law* and *Northberwick-law*. By one "Bail or Fire thus ſet on, the Country was to underſtand that "the Enemy was at hand; who, if he ſeemed conſiderably ſtrong, "in that caſe, two Bails were to be ſet, like two Candles together; or three or four, according to the Exigence and Danger "that might be threatned. By this Means it was eaſie to advertiſe moſt part of the Kingdom within a few Hours of the Approach and Strength of an Enemy, before it was poſſible for "them to paſs the *Tweed*:" *And then*, continues the Record, *conſidering*.

(*a*) c. 45, 46, 47. (*b*) Black Acts, f. 26, 37. (*c*) c. 53.

ſidering their far Paſſage (great Diſtance) *we ſhall, God willing, be as ſoon ready as they, all People by Weſt* Edinburgh *being thereby warned and commanded to draw to* Edinburgh, *and from* Edinburgh *Eaſt to* Haddington. Beſides this Precaution, and ſome others leſs remarkable, by another Statute (*a*), *Garriſons* conſiſting of 200 *Spears* and 200 *Bows*, were appointed to ly upon the eaſt and middle Marches, and 100 Spears and as many Bows on the weſt. The Lords, Barons and Free-holders of the Country being ordered to defray their Charges; and that the Burden might not ſeem too heavy, by being unequally divided among them, the Sheriffs were commanded to ſend in Writing to the King their Names, and the Value of their Eſtates in Lands or *Moveables*, that it might be adviſed how many Men each Lord and Free-holder was able to maintain, *and quhen and quhair*. In fine, all the Gentlemen, whoſe Eſtates lay near to the Borders, were appointed to make their Houſes as tenable as could be, and to pick out ſtrong and *able-bodied* Men for the Service; as alſo, to be ready with their Horſes and Arms at their principal Dwelling-places, to attend their Guardians or Chiftains upon the firſt Order.

Thus the Frontiers, and indeed the whole Kingdom were abundantly ſecured againſt Inroads from *England*; but a Storm broke out, where, it ſeems, it was not expected: For *Donald* Earl of *Roſs* and Lord of the *Iſles*, being encouraged by the *Engliſh*, and moved by Compaſſion for his Ally the Earl of *Douglas*, and probably irritated, by reaſon that all or part of the Lordſhip of *Roſs* had been annexed to the Crown, in Purſuance of that Act by which all the Leaguers were forfeited, renewed the old Pretenſions of his Family to Independency within his own Bounds, and, ſome ſay, cauſed himſelf to be proclaimed King of the *Iſles*, which nevertheleſs I cannot believe, becauſe I ſee no Veſtige of ſuch a Piece of Preſumption upon Record: But it is certain however, that if he did not call himſelf King, he acted as ſuch, raiſing an Army and invading the neighbouring Territories (*b*). *Argyle*, *Arran*, *Lochaber* and *Murray* felt the Effects of his Rage; for he over-ran all theſe Countries like a Torrent, carrying all before him, plundring, burning and killing wherever he came; in ſo much that the Biſhop of the *Iſles* was forced to ſeek a Sanctuary out of his Dioceſe, and the Caſtles of *Innerneſs* and *Arran* were taken by Fraud, and demoliſhed, or ſet on Fire. The Town of *Innerneſs* had alſo the ſame Fate, and he had undoubtedly proceeded to invade the low Countries, had not the King's Succeſſes againſt the *Engliſh* and Earl of *Douglas* deterred him. *Henry* Earl of *Northumberland*, the ſame who was afterwards killed at *Cockledge*, was at the Head of his Country-men, and the *Douglas* himſelf conducted the *Scots* Refugees in his Intereſt. Both entred the Borders and did great Damage; but their Men being more intent upon

Donald Earl of *Roſs* revolts.

A.D. 1456.

The Earls of *Douglas* and *Northumberland* invade *Scotland*.

(*a*) Ib. c. 61. (*b*) Hawthor. p. 99, 100, 101, &c. Buchan. p. 394, 395. Boet. f. 377, 378.

enriching themſelves with Booty, than proſecuting a regular War, were ſet upon by the Earl of *Angus* and Sir *James Hamilton*, (now as active for, as he had formerly been againſt the King,) who put them to the Rout, killing a great many, and taking more Priſoners. Our Authors ſay, that the News of this Victory being brought to the Earl of *Roſs*, ſo much intimidated him, (for he had very much depended upon the promiſed Diverſion from *England*, which now failed him,) that he ſued for, and obtained Pardon from the King; the more eaſily, becauſe he had a good Agent at Court: For his own Lady, who was a Daughter of the Lord *Livingſton*, and had been given him in Marriage by the King himſelf, had left him, in Imitation of the Counteſs of *Douglas*, as a barbarous Man, with whom her very Life was not ſafe. She ſaid ſo at leaſt, and what ſhe ſaid to his Detriment meeting with Belief, ſhe obtained an honourable Maintenance: But ſome think that her Deſertion was a Piece of Policy, and that ſhe came to Court with a Deſign to mediate her Husband's Peace, in caſe he ſhould be worſted in the War. If ſhe did ſo, ſhe was abundantly ſucceſsful. About the ſame Time one *Patrick Thornton*, a ſecret Favourer of the *Douglas*, tho he had attended the Court a long Time, finding a fit Opportunity for executing a very villanous Project, ſet upon and killed two Gentlemen of Note, *John Sandilands* of *Calder*, and *Alan Stewart*, both of the contrary Faction, and agreeable to the King, whoſe Officers apprehended the Murderer, and put him to Death.

And are defeated by the *Scots*.

The Earl of *Roſs* pardoned.

Murder puniſhed.

The unfortunate Earl of *Douglas*, having loſt his pretended Wife, his two Brothers, two Battles, his whole Eſtate and all his Confederates, retired again to the Court of *England*, where King *Henry* received him with his wonted Favour: For I find that (*a*) on the 22d of *July* 1456, the Penſion granted before was continued to him, and the Funds laid down out of which it was to be paid. Here the Earl is called *Our beloved and faithful*, that is to ſay, *Subject*; and it will afterwards appear that he became really ſuch, not only to this King *Henry* VI. but alſo to King *Edward* IV. and King *Richard* III. It is no leſs true that he did valuable Services to all three in their reſpective Turns, yet none of them was ever able to reſtore him, either to his Eſtate or Honours: So that in him, that chief Family of the *Douglaſſes*, which, while it was loyal, ſurpaſſed all others in Wealth, Grandeur and Merit, quite periſhed at length, after a great Number of rebellious, but fruitleſs Attempts, to the Prejudice both of this King *James*, and his Son King *James* III. tho, during the Life of the firſt, he had no further Opportunities of giving him any Diſturbance. The King was now Maſter of his Affairs, and that he might continue ſo, took all the wiſe Precautions that could be deviſed. He appointed a Parliament to meet this Year, on the 19th of *October* at *Edinburgh* (*b*), and asked their Advice concerning many Things of great Importance,

The Earl of *Douglas* and his Family ruined.

A Parliament meets.

(*a*) Feed. Angl. Tom. 11. p. 381. (*b*) Black Acts, f. 37, 38, 39.

portance, particularly the Peſtilence with which, it ſeems, the Nation was threatned, the Augmentation of Money within the Kingdom, the Adminiſtration of Juſtice and Lords of the Seſſion, the holding of Fairs or Markets, the Defence of the Borders, and what elſe ſeemed neceſſary towards a ſafe War, or advantageous Peace. The Parliament was of Opinion that (*a*) the Borderers were now in a Condition to defend themſelves; 1ſt, Becauſe they were better provided with Corn than laſt Year, and the Enemy not ſo well. 2*dly*, Becauſe a Ceſſation of Arms had been agreed to till *Candlemaſs* for the eaſt and middle Marches, and in the Time of Winter little Harm could be done to the Borderers on the weſt, who nevertheleſs, if they deſired it, might alſo obtain a Ceſſation of Arms, and *trowis the* Inglis *Men will als far conſent till a Speciallitie fra Candilmes till Wedder-dayis, as they do now till Candilmes*; that is to ſay, they were well aſſured, that the *Engliſh* would be abundantly forward to prolong or renew the Truce, conſidering the great Charges they had been at, and Loſſes which they had ſuſtained, and that it was not be ſuppoſed, that they were ſupplied with all Things neceſſary for a *Winter-weir*, and be alſo ready for the *Summer-weir*; that is, they were in no Condition to make both a Winter and Summer Campaign: Yet, in caſe the Borders ſhould be invaded by a great Army, the Parliament thought it expedient that the Inlands ſhould be in a readineſs to aſſiſt them; and for that End commanded all Men between the Age of Sixty and Sixteen, to have their Horſes and Armour in good Order, and to make *Wappinſchawings*, Muſters or Rendezvouſes once every thirty Days. Beſides, they thought it *ſpeedful*, that is, fit or convenient, that the King ſhould *requeſt* the greater Towns to provide great Guns, Carts of War, *&c.* and to entertain at their Charges, knowing and fit Men for attending the Artillery, than which, nothing could be better deviſed at that Time, when the Uſe of Powder and Ball was not ſo throughly underſtood. But this Advice of the Parliament to the King is made uſe of by the Enemies of Monarchical Government, particularly the Author of, what he calls, *An hiſtorical Account of the ancient Rights and Power of the Parliament of* Scotland, by me above-cited, and every where (tho I thought it not always worth my While to name him) confuted, to ſhew the ſuperior Power of Parliaments over Kings. For, ſays that diſingenuous Writer (*b*), who has moſt unfairly inverted the Senſe of all the Statutes which he has quoted, *The Eſtates had three Parts of the Sovereignty* (and yet they always call the King moſt dread Sovereign, our Sovereign Lord, *do all in their own Hands*, and they *might conclude the King, but he could not conclude them*; and *the Eſtates* (as he words himſelf a little before) *had a commanding Power in all Matters*, &c. To prove which, he tells us that Queen *Mary humbly entreated her Nobles and others to diſpenſe* Antimonarchical Writers confuted.

(*a*) Ib. c. 62 (*b*) p. 17, 18, 19.

ſo far with the Laws, *as to allow her a private Maſs in her own Palace. This Petition of hers*, adds he, *was no new or unprecedented Thing in our Princes, nor was it owing to the Weakneſs of her Sex, or the Danger of her Circumſtances, but the natural Reſult of our noble Conſtitution, which allowed our Kings to petition the Eſtates; and therefore we find it thus expreſt in the Acts of King* James I. cap. 125. Item, *Dominus Rex obtinuit per modum requeſtus*, i. e. *Our Lord the King obtained by way of Requeſt, and this Requeſt was, that the Prelates and Barons ſhould not remove the Husbandmen from their Farms for the Year to come.* He goes on and cites the Advice given by the Eſtates to King *James* II. as I have tranſcribed it, and concludes with an Air of Triumph, that *theſe are left out of the late Editions of our Acts, becauſe they did not ſute with that towring Prerogative we have had paumed upon us ſince the Union of the Crowns, but are ſtill to be found in the Black Acts.* Indeed I wiſh that theſe Acts, nay, and all thoſe that were ever made by the Kings and general Councils, as well as Parliaments (properly ſo called) of *Scotland, had not been left out of* the late Editions; and that for two Reaſons, the firſt, becauſe they had both cleared and vouched many Parts of our Hiſtory, and in the next Place, becauſe ſuch Writers as this Author, would have had no Occaſion to impoſe upon the Ignorance or Inadvertency of Readers, ſo far as to aſſert, that they *were left out, becauſe they did not ſute with the towring Prerogative*, &c. A plain, tho to the unthinking Reader plauſible Falſhood. I ſay to the unthinking Reader; for all others muſt needs ſee, that the Acts of Parliament having been publiſhed for no other End, but to promote the Knowledge of the *Scots* Laws, it ſeemed ſuperfluous to inform them (for example) that two or three hundred Years ago, it was thought adviſeable, that the Husbandmen ſhould not be removed from their Farms, or that the greater Towns ſhould make *Carts of Weir, and in ilk Cart twa Gunnis*, &c. as it is in the Record: Nor did the Editors think it neceſſary to tell the World that the *Burrowis* were not by the Tenor of their Charters obliged to make *Carts of Weir*, nor the Barons by theirs to keep the Husbandmen longer in their Farms than they had a mind; that by Conſequence, the King could not legally command them ſo to do; and that therefore he was adviſed to requeſt, that is, ask as a Favour, what by the expreſs Words of their Charters, they were not bound to grant as a Duty. As for Queen *Mary*, we very well know how ſhe was ſtated, and ſhe did wiſely and juſtly, in not offering to diſpenſe, by her ſole Prerogative Royal, with eſtabliſhed Laws. But I can by no Means allow that her *petitioning the Nobles and others*, ever was *the natural Reſult of our noble Conſtitution*, if any Thing elſe be meant by *petitioning* than asking the Parliament's Conſent and Concurrence to ſuch a Thing, as neither expreſs Law nor Paction oblige them to acquieſce in or comply with. Thus, the victorious King *Robert Bruce*

(*a*),

(*a*), in 1326, is ſaid to have *petitioned* the Prelates, Barons, *&c.* for a Subſidy, of which he very much ſtood in need, and they granted him a tenth Peny of all their Revenues during his Life; and thus all Sovereigns to this Day in *Britain*, *petition*, that is, ask Supplies of Money from time to time from their Parliaments. Why not? And will it follow from thence (*b*), *that the King of* Scots *had no negative Voice in Parliament, but that the Eſtates* (he means diſtinct from the King, or nothing) *had a commanding Power in all Matters relating to the Government, and that* he (the King) *could do nothing in theſe Matters, but by their Advice*? Every Tranſaction related in this Work, and almoſt every Page of it, evidence the quite contrary; ſince from unqueſtionable Vouchers, they ſhew that Parliaments were called and diſſolved by the King, who conſequently had a Negative upon them; that the Eſtates, conſidered as diſtinct from him, had no Power at all, much leſs *a commanding Power*, unleſs it were while the Sovereigns were under Age, or abſent from the Kingdom; and that in fine, tho the King could not legally ſeize upon the private Fortunes or Rights granted by himſelf and his Predeceſſors to any or all of his Subjects, without a legal Procedure againſt them; yet he could do, and actually did many Things of the higheſt Importance, without ſo much as conſulting his Parliament. Witneſs all the Truces and Treaties made with *England*, which I have related at large, and which were tranſacted without Conſent of, and never quarrelled by any Parliament; tho, if the Kings had thought fit to lay theſe Treaties before their Parliaments, and asked their Advice concerning them, as we ſee this King *James* and others ſometimes did in Matters by far leſs conſiderable, I do not ſee why they might not have done it, without derogating in the leaſt from their Prerogative. As to our Author's Queries concerning the Word *Requeſt*, or even that of *Petition*, from which he draws ſo much Matter of Triumph, I ſhall make a very ſhort and plain Anſwer to them. He *would wiſh*, ſays he, *that theſe Gentlemen who have taken the Liberty to declare by Word and Writing, That our Parliaments were anciently no more but the King's Baron Court, to bethink themſelves whether Barons are in uſe in this Manner to petition their Vaſſals*. Yes, Barons do *petition* their Vaſſals in this manner every Day, at leaſt as often as they put them to any Trouble or Expence, which the Vaſſals are not by the Tenor of their Holdings obliged to be at: And what Vaſſal is bound to lend, much more to give Sums of Money to his Superior? And how many Superiors do ask ſuch Favours from their Vaſſals with much Intreaty and great Condeſcenſion? Tho it is true, that they do not give in a formal Petition, beginning *with humbly means and ſhews*, as the Phraſe is, and concluding with, your *Petitioners ſhall ever pray*. Much leſs did ever the Sovereign *petition* the Eſtates in theſe Terms, as the Queriſt would all along

 inſinuate,

(*a*) See Vol. I. p. 635, and the Original in Bib. jurid. Edin. (*b*) p. 16.

infinuate, and ought to have proved, if he meant to prove any Thing. He asks in the ſecond Place, *whether Vaſſals have any Power to order their Superior to petition them, and to turn him out from his Eſtate, if he do not fulfil the Conditions of his Grants* ? No indeed, and much leſs can the Eſtates order their *dread Sovereign* to petition them, and to dethrone him, if he does not fulfil the Conditions of his Grants. No Veſtige of any ſuch Power in the Eſtates is to be ſeen in our Law; nor can any Man in his right Wits draw ſuch a Concluſion from any unwarrantable Precedent: Nor have we hitherto (I mean ſo far as I have yet proceeded in this Work) met with any ſuch Precedent in *Scotland*. For I muſt again let my Reader know, that no Credit is to be given to the circumſtantial Parts of the *Scots*, nor indeed to the *Engliſh* Hiſtory, anterior to the Conqueſt of *England*, and Reſtoration of *Malcolm Canmore*. But there is this eſſential Difference between the Eſtates with reſpect to their King, and the Vaſſal to his Superior, that, if the Superior do not fulfil the Conditions of his Grants, he may be by legal Means compelled ſo to do; but, tho the Sovereign ſhould (which God forbid) encroach upon his own Laws, to the great Detriment of his Subjects, he cannot be called in Queſtion for it by any, but his natural and only Judge God Almighty, *by whom Kings reign*; tho the Eſtates, and every inferior Subject, as well as they, may remonſtrate their Grievances to him, and in a true Senſe *petition* him for Redreſs. The laſt Query is, *Whether it was originally their Gift or his own Property*? The Meaning of which I confeſs I am at a Loſs to know; but one Thing I think I have long ago evinced (*a*), *viz. That all the Lands in* Scotland *were originally the King's Property*, and that it was King *Malcolm* II. his Goodneſs or Policy, or both, to divide them among his Subjects, with ſuch Conditions, Reſtrictions and Clauſes, as the Giver and Receivers are legally bound to keep by; which if they do not, both are puniſhable by their reſpective Judges; he by God, and they by him. It would be eaſy, but endleſs, to anſwer all the Quibbles, and to detect all the Frauds and Sophiſms of this Author; who, tho he is very far from quoting fair, an unpardonable Prevarication, of which a good Cauſe does not ſtand in need, yet is ſo unlucky in all his Concluſions, that his Conſequences never follow, even from theſe Premiſſes which he himſelf lays down; and if I was to confute his Book, I would ſhew, as I have done in Part, that all the Statutes (except one or two, of which afterwards) he cites, as Evidences of the Authority of Parliaments above that of Kings, are ſo far from being concluſive in his Senſe, that on the contrary they are all Demonſtrations of the inviolable Authority of Kings over all Ranks of People, or Inſtances of the innate Bounty and Juſtice of our Sovereigns, who, ſince they reigned over us, not by Conqueſt as the *Norman* Race over our Neighbours, but by the inherent

(*a*) See the Life of Malcolm II. Vol. I. p. 211, 212.

rent Right of their hereditary Succeſſion, were willing to make the Yoke ſo light, that as we could not in Reaſon, ſo till of late, when a Spirit of Diſcontent and Sedition, not yet conjured, was raiſed up, or by Contagion crept in among us, we did not complain of it; in ſo much, that during a long continued Series of ſome hundreds of Years, thoſe Adjuncts, *Imperium & Libertas*, were perfectly united: For the Reconciliation of which, as *Nerva* was deified by the *Romans*, ſo we have no Reaſon to doubt, but that our Sovereigns are juſtified in Heaven, and we on Earth ought for the ſame Reaſon to be grateful to their no leſs gracious Poſterity, under whoſe gentle Sway, we might ſtill, if we were wiſe, enjoy the Fruits of Liberty, without pretending to the Prerogative of Empire. I hope that my Zeal for Truth, the Honour of my Country, and Wellfare of Mankind, will atone for this and the like Digreſſions, the rather, becauſe I do not pretend to write a regular Hiſtory, having from the Beginning had in my View ſomething more uſeful than Hiſtory it ſelf, (at leaſt as I have found it,) written by Authors without Vouchers, or vouched by Party-men who have no Authority, and ought to meet with no Credit.

The Parliament, whoſe Acts I have touched upon, had very good Reaſon to think that the Borderers were in no great Danger, and that the *Engliſmen*, having been much more haraſſed than they, would not be averſe to a Truce. This appeared to be true the next Year 1457, when the Plenipotentiaries of both the Kings met at *Coventry* (*a*), and on the 11th of *June* agreed to a Ceſſation of Arms from the 6th of the enſuing *July*, till the 6th of the ſame Month 1459. The *Scots* Plenipotentiaries were *Patrick* Lord *Graham*, Mr. *Thomas Vaus* Dean of *Glaſgow* and Secretary of State, and *George Finlaw* Merchant; the Conſervators of the Peace being the Earls of *Athole*, *Roſs*, *Angus*, *Huntley* and *Caithneſs*, the Lords *Somerville*, *Maxwel*, *Montgomery*, *Gray*, &c. Sir *David Hume*, *Alexander Hume*, *Walter Scot*, *Thomas Cranſton* of *Cranſton*, *John Johnſton* of *Johnſton*, . . . *Ormiſton* of *Ormiſton*, . . . *Rutherford* of *Rutherford*, . . . *Ker* of *Ceſford*, . . . *Murray of Cockpool*, . . . *Carliſle* of *Torthorwald*, &c. They for *England* were much the ſame as formerly, and Proteſtations were made for the *debatable* Lands by the Lord *Graham* in Behalf of King *James*, and the Prior of *Coventry* in the Name of King *Henry*. A.D. 1457. Truce with *England*.

King *James* having now diſſipated, or brought all Oppoſers within his own Kingdom to Submiſſion, and ſettled ſuch a Peace as was at that Time thought neceſſary with *England*, ſet himſelf, as all his Anceſtors and Succeſſors Kings of *Scotland* ever did when ſo happily ſtated, to make his Subjects as happy as they would ſuffer themſelves to be. With this View he called a Parliament (which, to the infinite Damage of that and after-Ages, A Parliament called.

(*a*) Fœd. Angl. Tom. 11. p. 389, 390, &c.

chanced to be the laſt of his Reign) to meet at *Edinburgh* on the
A D. 1458. 6th of *March* (*a*) 1457--8; and here again many excellent Laws were enacted, ſome of which I cannot forbear mentioning (*b*). The firſt, ſecond and third concerned the Lords of the Seſſion, who were appointed to ſit during the Space of 40 Days and no longer, thrice in the Year, in three different Places, *Edinburgh*, *Perth* and
Lords of the Seſſion. *Aberdeen*. The Lords appointed to ſit at *Aberdeen*, were the Biſhop of *Roſs*, or *Caithneſs*, or *Murray*, the Abbot of *Deir-dein*, now *Deny-deir*, and Mr. *Walter Idill* for the Clergy; the Earl of *Errol*, the Lord *Glammis* and the Lord *Forbes* for the Barons; *John Fife*, *Andrew Menzies* and *Walter Thomſon* for the Burrows. They who had Commiſſion to ſit in the ſecond Seſſion at *Perth*, were the Biſhop of *Dunkeld*, the Abbot of *Lindores*, and the Arch-dean of St. *Andrews* for the Clergy; the Lord *Gray*, *Patrick* of *Ratray* and *Thomas Abercromby* of *Abercromby* for the Barons; *Archbald Stewart*, *Robert Mercer* and *David Spalding* for the Burrows. They in fine, whoſe Commiſſion obliged them to ſit in the third Seſſion at *Edinburgh*, were the Biſhop of *Glaſgow*, or *Galloway*, or any other Biſhop the King ſhould think fit to name, the Abbot of *Holy-rood-houſe* and Provoſt of *Linclowden* for the Clergy; the Lords *Lindſay* and *Hales* for the Barons, *William Cranſton*, *Alexander Napier* and *Robert Nairn* for the Burrows. The Power of theſe Lords was in one Senſe very great, there being no Appeal from them, either to the King or Parliament; but then it was ſhort-lived, ſince their Commiſſion expired with the Year, the King and his Council being to name other Lords to ſit at ſuch Times, and in ſuch Places, as they ſhould appoint, till the Meeting of another Parliament. From whence it appears that the Lords of the Seſſion were at this Time a Committee of the three Eſtates, and that there was a Sort of Rotation amongſt the Nobility, Gentry and Burgeſſes, without any Charge to the Publick; for it was thought that they ought to ſerve out of their own *Benevolence*, and at their own Charges, which they might do the more eaſily, ſays the Act, becauſe of the ſhort Time of their Attendance, and in regard that it would not perhaps come to their Turn to ſit again once in ſeven Years. This, in my humble Opinion, was upon many Accounts a very wiſe Conſtitution, and not at all derogatory to the Prerogative Royal, as ſome would inſinuate: For, beſides that all Perſons of Note were thereby obliged to qualify themſelves by Application and Study for ſo great a Truſt, many Corruptions and Inconveniencies otherwiſe unavoidable, were prevented, and it was not amiſs that the Eſtates, who beſt knew the Reputation and Parts of thoſe in their reſpective Countries, ſhould, when aſſembled together, concur with the King in the Nomination of qualified Perſons: I ſay when aſſembled together; for we ſee that at other Times the King pitched upon ſuch as he and his Privy Council thought fit. But I fear I am encroach-

(*a*) Black Acts, f. 49, 50, 51, &c. (*b*) c. 68, 69, 70.

encroaching upon the Province of others, I mean the learned Society of Lawyers, to whoſe Experience and great Knowledge I humbly ſubmit my own Sentiments in this Matter.

Regulations concerning Coinage.

This Parliament alſo took Notice (*a*) of ſome Diſorders in the Management of the Money or Coinage, and remitted that Affair to the Conſideration of fit Perſons, who were to attend the King, when and where he pleaſed, in order to deliberate about the Matter.

And Hoſpitals.

And it is obſervable, that there were then many Hoſpitals for the Sick, Poor, and other indigent Perſons within the Kingdom; which I take Notice of the rather, becauſe it is the Shame of later Times, that there are now ſo few: But they were not ſo well looked after as formerly; for which Reaſon, they adviſed (*b*) the King to order his Chancellor, a part of whoſe Office it was to viſit them from time to time, to go through all the Dioceſes, and take care that the Rules of their ſeverl Foundations ſhould be punctually obſerved, and where theſe could not be had, to apply to the King for a Remedy: And becauſe this ſeemed to be too great a Task for the Chancellor alone, they appointed two of each Dioceſe, whoſe Names are ſtill upon Record, to attend him.

Conſtitution of Parliaments.

By another Act (*c*) they declared it adviſable, that no Freeholder, whoſe Eſtate did not amount to 20 *Lib.* of yearly Revenue, ſhould *be conſtrained* to come to the Parliament or general Council, unleſs he was a Baron, or be expreſly called by the King's Writ, or by an Officer in his Name; a Proof of what I have elſewhere aſſerted, that the King had an undoubted Power to call to Parliament whom he pleaſed, and as many as he pleaſed, by Conſequence that the Court could never be out-voted by any Faction whatſoever in Parliament. Which alone, were there nothing elſe to be ſaid upon the Matter, is ſufficient to anſwer all the Objections, and to confute all the ſophiſtical Arguments of thoſe who ſo ſtrenuouſly endeavour to delude unthinking People into a Belief that *Scots* Parliaments were in all things ſuperior to *Scots* Kings: Whereas nothing is more evident than that the Kings of *Scotland*, by the undoubted Right which they had to fill the Parliament with their own Creatures, or, which is the ſame thing, to call whom they pleaſed to ſit in it, could do in it whatever they had a mind, and that nothing could be done, but what they had a mind: So that all thoſe Statutes and Laws, which are now ſo inhumanly tortured, wreſted and miſconſtrued to leſſen the Power of Kings, were and ſtill are the Statutes and Laws of the Kings themſelves, without whoſe free and unconſtrained Will they could never have paſſed: And ſince theſe excellent Princes were ſo good as to ſuffer them to paſs, when it was ſo evidently in their Power to have obſtructed the very mentioning of them; it is barbarous in us to invert them to the Prejudice of their Royal Progeny. Is not this to turn their own Cannon upon them with a Witneſs?

Antimonarchical Writers confuted.

(*a*) Ib. c. 72. (*b*) Ib. c. 77. (*c*) Ib. c. 85.

I have thought fit to enlarge a little upon theſe Acts, becauſe to me they ſeem, upon many Accounts, remarkable; tho there were many more than theſe tending to the Reformation of Manners, Improvement of Agriculture, Depreſſion of Luxury, Encouragement of martial Diſcipline, &c. made by this Parliament; which being at a Cloſe, they expreſſed in a moſt loyal Addreſs (*a*) their dutiful Acknowledgments to God, who had graciouſly vouchſafed to bleſs *their Sovereign Lord* with ſo many Succeſſes, and ſuch Proſperity, that all Rebels and Breakers of the Peace were removed, and no *maiſterful* Party ſuffered to live within the Realm: And that the preſent Tranquillity might be the more laſting, they *moſt humbly exhort and require his Highneſs to cauſe theſe Statutes to be put in Execution, that God may be pleaſed with him and all his Subjects Spiritual and Temporal.* As loyal and humble as this Addreſs ſeems to be, there are thoſe (*b*) who diſcover in it the evident Superiority of the Parliament over the King: For, ſay they, the Eſtates *require his Highneſs* to take care that the Laws be obſerved, adding, that if he does, *God and his Subjects will be pleaſed with him.* Well, theſe are Men, I muſt own, of an uncommon Reach; they ſee Mountains in Molehills, and with the Daſh of a Pen can metamorphoſe a Flie into an Elephant. Our Anceſtors were honeſt well-meaning Men, who ſpoke good ſubſtantial Senſe, but were not ſo very nice either in the Choice of their Words, or the Turn of their Phraſes, as our modern Criticks; and with Criticks or Dealers in Phraſes and Words there can be no Ending of Diſputes. Let the Reader Judge between us: I return to the Hiſtory.

The Parliament addreſſes the King.

The King failed not to comply with the Deſire of his Parliament, and the Kingdom continued to flowriſh in Plenty and Peace. To ſecure which, it was thought fit that the Truce with *England* ſhould be renewed; for which End (*c*) the Biſhops of *Galloway* and *Brechin* (this laſt was alſo Chancellor of *Scotland*) *William Sinclair* Earl of *Orkney* and *Caithneſs*, the Abbots of *Melroſs* and *Holy rood-houſe*, the Lords *Graham*, *Boyd* and *Borthwick*, *William Murray* of *Tillibardin*, *John Arons* Arch-dean of *Glaſgow* and Secretary of State, and *Nicolas Otterburn* Clerk-Regiſter, were ſent to *Newcaſtle* with the Character of Plenipotentiaries, in *July* 1459; and on the 12th of *September* prolonged the Truce (*d*) till the 8th of *July* 1468, the Terms and Conſervators of it being the ſame as before. This Truce is a very good Proof, that King *James* had no mind to improve the Calamities of his Neighbours (as moſt Princes do) to his own Advantage; for at this very Time *England* was all in a Flame, Providence having long ſince begun to revenge the Injuſtices which the Houſe of *Lancaſter* had committed in the Purſuit of an unjuſt Claim, to no leſs than three Kingdoms, *England*, *France* and *Scotland*. I ſay an unjuſt Claim, for, tho it were allow-

A.D. 1459. Truce with *England* prolonged.

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(*a*) lb. c. 102. (*b*) Rights of Parl. p. 23. (*c*) Fœd. Angl. Tom. 11. 423. (*d*) lb. p. 426, 427, &c.

ed that *Scotland* and *France* had really belonged to the Kings of *England*, as being, what they called themſelves, the rightful Heirs of the one, and ſuperior Lords of the other; yet ſince the preſent King *Henry* VI. his Father, and Grandfather, were not the immediate Heirs of the laſt undoubtedly lawful King of *England* *Richard* II. whoſe Throne the laſt mentioned uſurped, to the Prejudice of the eldeſt Branch of the Royal Family, it is plain that their Pretenſions to *France* and *Scotland* were yet more unjuſtifiable. However, the Attempts which they made upon *Scotland* were defeated by the Valour of its Inhabitants, and the Wiſdom of its Sovereigns and Governors. But as they very near conquered *France*, ſo the two laſt of them, I mean *Henry* V. and VI. enjoyed *England* as ſecurely, as if that Crown had been tranſmitted to them without a Crime; in ſo much, that tho there was ſtill a Pretender, yet he was long ſo far from offering to aſſert his Right, that he ſeemed to be ignorant of it, fairly acquieſcing in, and ſerving under the Uſurpation. The Perſon I ſpeak of, was *Richard* Duke of *York*, a Prince of great Courage and conſummate Prudence; who, tho his Father had been attainted of Treaſon, and put to Death by *Henry* V. was by this King *Henry* VI. unwarily reſtored to his Blood; nay, he was alſo preferred to Offices of the higheſt Truſt, being made Governor of *Ireland (a)*, and Regent of, or rather in *France*; for that Kingdom was almoſt entirely recovered from the Hands of the *Engliſh* before his Promotion, and now they were poſſeſt only of one Town *Calais*, in Place of the many Provinces which they had ſo long enjoyed by an undoubted hereditary Title, and of the whole, for which they had made ſo glorious, but in the End ſo fruitleſs a Struggle. The Loſs of *France*, King *Henry*'s eaſy and ſoft Temper, which made him more fit to be governed than to govern; the Queen's imperious Deportment, (ſhe was a Daughter of *Reyner* Duke of *Anjou* and titular King of *Sicily*, conſequently a *French* Woman, and for that very Reaſon unacceptable to the *Engliſh* Nation;) the heavy Weight of a long and unſucceſsful War; ſeveral Miſmanagements occaſioned by contending Parties at Court, and a great many other concurring Circumſtances raiſed great Diſcontents among the People, and encouraged the powerful, popular and deſigning Duke, who knew very well (no Man better) how to improve them, to ſet himſelf at the Head, firſt of a Faction, and afterwards of an Army, with which, under Pretence of removing the Duke of *Somerſet* and other bad Counſellors from the Helm of Affairs, he gave Battle to, and worſted the King at St. *Albans* in 1455. After this a ſeeming Reconciliation was patched up, but the War broke out again this Year 1459; and the King's Party loſt a ſecond Battle at *Bloreheath*. He was yet more unfortunate the next Year 1460; for his Army was a third Time defeated at *Northampton*, and

Civil War in *England* commences between the two Houſes of *York* and *Lancaſter*.

A.D. 1460.

(a) Echard, Baker, Orleans, &c. their Lives of Henry VI.

Henry VI. of *England* made a Priſoner.

and he himſelf made a Priſoner, which obliged the Queen and Duke of *Somerſet*, with ſome others of her Party, to retire, if not to *Scotland*, as Sir *Francis Baker* inſinuates (*a*), at leaſt to the Borders, where, by the Orders or Influence of King *James*, ſhe was moſt kindly entertained. Nay, if we may believe *Engliſh* Authors (*b*), who may be allowed to know as much of the Matter as our own, King *James* (by reaſon of his Affinity with the Houſe of *Somerſet*, deſcended as that of *Lancaſter*, from *John* of *Gaunt*,) *was a ſpecial Support to King* Henry *in all his tempeſtuous Adverſities*. If ſo, he was certainly the moſt generous Prince in the World, ſince it muſt be owned that he repaid the greateſt of Injuries with the greateſt of Favours. For King *Henry* (as conſcientious a Man as all Writers call him) had been ſo far from aſſiſting him on the like Occaſions, that on the contrary he gave both Men and Money to the Earl of *Douglas*, an avowed Rebel, who, after he had been foiled in the Field and out-lawed by the Parliament of *Scotland*, met not only with a ſafe Retreat, but alſo an honourable Maintenance in *England*, in ſo much, that the laſt Year a little before the Truce was renewed, King *Henry* (*c*) ordered the Arrears of his Penſion to be punctually paid, and ſome time after gave him an additional Grant (*d*) of 20 Merks a Year during Life, in Conſideration, as the Record has it, of his *great, faithful and diligent Aſſiſtance, and his great Charges and Labour in ſuppreſſing the Traitors*, Richard *late Duke of* York, *the Earls of* Warwick, Sarum, *&c.* From whence it appears, that this *James* Earl of *Douglas* did not in the leaſt degenerate from his active and martial Anceſtors; but, I tell it with Regret, he had nothing of their Honour or Honeſty; for we ſhall very ſoon find him as active againſt, as he had hitherto been for this ſame King *Henry*. But it may be that King *Henry*, or his Queen turned him out of their Service, and by that means obliged him to ſhift Sides, upon their being aſſured of Support and Aſſiſtance from King *James*. This is the beſt Apology I can make for that brave, but equally diſloyal and ungrateful Earl, tho *Scots* Authors will ſcarcely allow of it, ſince, according to moſt of them, (*e*) King *James* declared himſelf for the Duke of *York*, whoſe Title he thought was beſt, and from whom he was made to expect the moſt grateful Returns, namely, the three Northern Counties, of old poſſeſt by his Predeceſſors, with the Towns and Caſtles of *Roxburgh* and *Berwick* which were properly his own. But as this is not aſſerted by *John Major* (*f*) who lived near to theſe Times, ſo it is not believed by *Hawthornden* (*g*), who more probably aſſerts, that after having diſmiſſed the Ambaſſadors of both Parties, who equally ſollicited his Aſſiſtance, without giving a poſitive Anſwer to either of them, he raiſed an Army, but left it to the Divination of Poſterity with which of the two

The Queen of *England* retires to *Scotland*.

The Earl of *Douglas* highly rewarded by *Henry* VI. of *England*.

Whom he abandons.

(*a*) p. 282. (*b*) Echard, p. 511 (*c*) Fœd. Angl. Tom. 11. p. 421. (*d*) Ib. p. 437. (*e*) Buchan. p. 397, Boet. f. 380, 381. (*f*) f. 152, 153. (*g*) p. 105.

two he had a mind to ſide; for my part, I would be of *Hawthornden*'s Opinion, did I not know that the Truce which had been concluded the laſt Year with King *Henry*, was ſtill in Being; and I am unwilling to think that King *James*, who neglected the then Opportunity of drawing Advantage from King *Henry*'s Calamities, would now do it at the Rate of breaking his Faith. It is the more probable that he did not, becauſe I find that this ſame Year, in the Month of *June* (*a*) he ſent Ambaſſadors to King *Henry*, with Orders to confirm and amend the Breaches of the Truce: And I am apt to believe, that the Reſult of that Embaſſy, tho ſeemingly intended for confirming the Truce, was, that King *James* ſhould inſtantly raiſe an Army and beſiege *Roxburgh*, or ſuch other Places as it was fit for the one to be poſſeſt of, and for the other that his Enemies ſhould be diſlodged from. For Mr. *Echard* tells us (*b*) that *Roxburgh* was then in the Cuſtody of King *Henry*'s Enemies, and all agree that King *James* entred upon Action by beſieging it; tho indeed a little too late, King *Henry* having fallen into the Hands of Duke *Richard* about a Month before: But his better Part, I mean his more active and fortunate Queen, was at Liberty, and made haſte to ſeek thoſe Succours from *Scotland* with which ſhe very ſoon after wrought the Relief of her Husband and the Death of his Rival.

But who is ſupported by K. *James*.

Who beſieges *Roxburgh*.

Never had any King of *Scotland* a fairer Proſpect of enlarging his Territories, and of Immortalizing his Name by a War, which no Body could think unjuſt on his Part, than King *James* had in this lucky Conjuncture of Affairs, when the Forces and Minds of the *Engliſh* Nation, otherwiſe too powerful, were miſerably divided, and thoſe of his own Subjects perfectly united, and admirably well diſpoſed to encounter all Difficulties, under the Conduct of a Prince, who was long ſince become the Darling and Delight of their Hearts. All Ranks of People endeavoured to diſtinguiſh themſelves by their Forwardneſs to ſerve him, but none more than they who had been engaged in the League with the Earl of *Douglas*; and amongſt theſe none ſo much as the Earl of *Roſs*. The Earl of *Huntley*, whoſe Eſtate lay very near as far from the Scene of Action, as that of the Earl of *Roſs*, came to the Camp much about the ſame Time. But his Appearance before *Roxburgh* proved as unlucky as it had been proſperous in the Fields adjacent to *Brechin*; for the King, who had a great Value for him, and who conſidered his Arrival as a Preſage of good Fortune, would needs go in Perſon with him to the Trenches, to ſee the *Lyon*, a famous Piece of Ordnance, and the other Artillery diſcharged; but, to the inexpreſſible Grief and Loſs of all true-hearted *Scotſmen*, one of the Cannons being over-charged, broke, and a Shiver of it falling on the King's Thigh, killed him outright, and dangerouſly wounded the Earl of *Angus*. This fell out on the 3d of *Auguſt*

Is joyned by the Earls of *Roſs* and *Huntley*.

And killed by an Accident.

(*a*) Fœd. Angl. Tom. 11. p. 453. (*b*) Ubi ſup.

1460, being the 29th or 30th of the King's Life, and the 24th of his Reign. A Reign, by Reaſon of his long Minority, and the Degeneracy of the Age, tempeſtuous, but at the ſame Time equally honourable to himſelf, and to the Majority of the yet unde-
His Character. bauched Nation. He had all the Qualifications neceſſary to make him ſuch a Prince as one would chooſe to be, if the Gifts of Nature could proceed from Choice; both awful, and lovely; an handſom Body, graceful Mien, grave Behaviour, and robuſt Conſtitution; by which laſt, he was, as his Father had been, fit for, and by his own Inclinations, addicted to all Knightly Exerciſes then in Faſhion. He had a broad red Spot upon one of his Cheeks, from whence he was by the Vulgar called, James *with the fiery Face*, which made ſome Phyſiognomiſts, ſays one of our Authors, conclude that he was of a hot, briſk and violent Temper, prone to Anger, impatient of Delay, and fitter for Action than Deliberation. Indeed, the ſudden and raſh Blow which he gave to *William* Earl of *Douglas*, ſeems to aſſure us of this Part of his Character: But, as it is, and ever will be a Secret, whether that Blow proceeded from premeditated Counſel, or haſty Paſſion, or juſt Provocation; ſo it is certain, as *Hawthornden* judiciouſly obſerves, that Aſſociations and Leagues are dreadful Attempts againſt Sovereignty, and for the moſt Part end in the Ruin of their Authors. Beſides, we find this King to have been in all his other Actions ſedate and cautious, truſting more to the Advice of others than his own; and for that Reaſon a great Lover of Parliaments, which he called frequently together, and to whom he graciouſly communicated the moſt important Affairs of State; having no Reaſon from the Experience of his own, nor of former Ages, that his Condeſcenſions in that reſpect would be drawn by Poſterity into Precedents that might derogate from the Crown; the Prerogative of which he thought the ſureſt, and indeed the only Foundation of the Privileges and Liberties of the People. He was religiouſly honeſt, ſincere, affable and courteous, an impartial Adminiſtrator of Juſtice, liberal without Prodigality, and parſimonious without Oppreſſion or Avarice. His great Clemency appeared in this, that after he had ſubdued the Heads of that long Rebellion, by which almoſt his whole Reign was diſturbed, he freely pardoned their Vaſſals and Followers, chuſing rather to cure the faulty and ſick Members of the State, than to kill or cut them off. Yet was not his Clemency an Effect of Irreſolution or Fear, but he wiſely thought, that it was no leſs Cruelty to forgive all, than to ſpare none; tho even the Baniſhment and Forfeiture of the laſt Earl of *Douglas* and Lord of *Balveny*, proceeded more from their own Choice, than that of the King, as appears from the Pardon granted to, and Truſt repoſed in them, after the firſt Sallies of their Revenge; and ſuch Sallies they were, as the like had never before been ſeen in *Scotland*. He was no leſs compaſſionate

paſſionate than merciful; witneſs the Counteſſes of *Douglas* and *Roſs*. As for the Fortitude of his Mind and his perſonal Courage, they were certainly very great: For, if our Authors (*a*) may be believed, the Earl of *Douglas* could bring no leſs than thirty or fourty Thouſand Men into the Fields at a Time, all by their Natures and the continual Exerciſe of Arms, to which they were inured, extremely fierce, and deſperately reſolute; and that he did exert his utmoſt Efforts, in Conjunction both with domeſtick and foreign Allies, we are very well aſſured. Notwithſtanding which, as the King's Courage never failed him, ſo at length it prevailed; and tho he was very well ſerved by the Earl of *Huntley*, Biſhop *Kennedy*, Chancellor *Crichton* and others, yet his Succeſſes were chiefly owing to his own Example, and the great Aſcendant which he had gained over all, but more eſpecially his military Subjects; who, as *John Major* tells us, did not ſo much fear him as their King, as they reverenced and loved him as their Father. And no Wonder, for he uſed to converſe familiarly, and would ſometimes eat and drink, as the *Roman* Emperors of old, with the meaneſt Soldiers; and was otherwiſe ſo well acquainted with, and took ſo much Delight in Arms, that had he lived longer, it is probable, as Matters ſtood, that he would have equalled the Glories of the moſt famous Generals we read of in Story. Mr. *John Johnſton* inſinuates no leſs, and expreſſes much more in the two following *Diſtichs*, which he has dedicated to his Praiſe.

Siſte gradum Mavors inquit: tibi pergere ſi fas,
Quo mihi, quove ſuo tela triſulca Jovi?
Sic ait, atque ſuo confixum fulmine ſternit,
Nempe mori potuit non niſi Marte ſuo.

King *James* II. had Iſſue by his Wife Queen *Mary*, *James* who ſucceeded him, *Alexander* Duke of *Albany*, *John* Earl of *Marr*, the Lady *Margaret* and the Lady *Cecilia*. He bare for his Impreſs or *Deviſe* (*b*) a Coronet placed on a Mount of Earth, a Sword the Point downward, and a Crucifix placed in the Form of a *Roman* Capital V iſſuing therefrom: The Word, *Pro Lege & Grege*. His Iſſue. His Deviſe.

(*a*) John Maj. f. 141, 142. (*b*) Keep's Geneal.

THE Life and Reign OF JAMES III.

THE *Hundredth and Fourth King of* Scotland.

THE Author of the ancient Rights of the Parliament of *Scotland* (*a*) tells us, that he was not able to forbear Smiling, when he read the 134th Act of the 8th Parliament of King *James* VI. *againſt Slanderers of the King's Progenitors*, &c. and at the ſame Time found a Liſt bound up with the Acts of Parliament of 110 of our Princes, among whom there are 33 ſtigmatized with the odious Epithets of *bloody*, *cruel*, *greedy*, *lecherous*, *vicious*, *tyrannical*, *fooliſh Uſurpers*, &c. The ſame Author, after having ſmiled at the Abſurdity of that Act, and, as he thinks, contradictory Liſt, gravely concludes, that *Magna eſt veritas & prævalebit*, *Truth is ſtrong and will prevail.* This Concluſion, tho I heartily wiſh that it may in all Times prove true, is no Conſequence of the Premiſſes: For the Act of Parliament being made only *againſt Slanderers of the King's Progenitors*, does in no Degree affect ſuch, as, conformably to the Rules of Hiſtory, forbear to ſlander, but tell Truth; ſo that if of 110 of the King's Progenitors, 33 were *bloody*, *cruel*, &c. they may be called ſuch without *Slander*; and conſequently without any Danger of falling under the Penalties contained in that Act. But I would gladly know in the next Place, who told that Author, that theſe 33 Princes, to whoſe Memories ſo odious Epithets are affixed in the Liſt he ſpeaks of, were King *James* VI's Progenitors? I am ſure that a great many of them were not, namely the laſt five Uſurpers, *Conſtantine* IV. *Grime*, *Mackbeth*, *Donald Bane* and *Duncan* II. Nay, I very much doubt whether King *James* VI. was deſcended from any one of the 33; if he was not, ſure there can be no Inconſiſtency in the Act *againſt Slanderers of his Progenitors*; and tho he was, if it be true that the 33 were *bloody*,

(*a*) p. 21.

bloody, *cruel*, &c. it is no *Slander* to call them ſuch; for *Slander*, I humbly conceive, implies an Untruth, or Falſhood, and *Ne quid falſi dicere audeat*, is a Maxim all Authors ſhould obſerve, whether commanded to do ſo by Act of Parliament or not: But it is a Maxim not at all inconſiſtent with that other, *Ne quid veri non audeat*; and the Act againſt *Slanderers*, tho *directly levelled*, as the ſame Author acknowledges, *againſt* Buchanan's *Hiſtory*, (a Book like his own, but much more ingeniouſly worded, full of Slanders and Falſhoods,) can never be conſtrued a Prohibition to any who has the Honeſty to tell Truth, and even to Stigmatize the Progenitors of King *James* VI. with the Epithets of bloody, cruel Uſurpers, *&c.* if any ſuch are to be found among them. As for the Epithet of Uſurper, I know not one of his Progenitors to whom it can be applied; neither does *Buchanan* himſelf reckon any, either of his Progenitors or Predeceſſors from King *Edgar*, who reigned in 1098, to this preſent Year 1460, amongſt the Number of cruel, bloody, vicious, or tyrannical Princes. I could go much farther back, if I was only ſpeaking of his Progenitors, ſuch as *Kenneth* III. *Malcolm* II. *Duncan* I. and *Malcolm* III. who have been themſelves, as all the Kings of *Scotland*, lineally deſcended from them, ſo far from deſerving the Epithets of Vicious or Tyrannical, that on the contrary, they lived and reigned almoſt without the leaſt Blemiſh; being, even according to *Buchanan*, liable to no dangerous Vices, and but few Infirmities; and adorned with ſuch eminent Virtues, both Moral and Evangelical, as made ſome of them Heroes, others Saints, and others both Saints and Heroes. King *James* III. whoſe Life I am now to write, is the firſt Tyrant, ſo called by any Author we read of in the Hiſtory of *Scotland*, I mean ſince the Reign of King *Edgar*, eldeſt Son and Succeſſor to *Malcolm Canmore*; for till then, the *Scots* Hiſtory, as I have often obſerved, is ſo uncertain, being atteſted by no Records nor contemporary Authors, that as little Credit can be given to, ſo no Precedent ought to be drawn from it. I ſay then, that King *James* III. is the firſt Vicious, or in any degree Tyrannical Prince we meet with in the Hiſtory of *Scotland*, or rather in that of *Buchanan*; for tho our other Authors do not diſmiſs him with ſo fair a Character as thoſe of his Anceſtors and Predeceſſors, yet they are very far from giving him that odious Appellation. How far he deſerved it, that is, what his Miſcarriages were, and whether thoſe of his Subjects were not much the greater, I ſhall from the beſt Vouchers endeavour to ſhew.

The firſt publick Appearance which he made was in the Camp, and the immediate Conſequences of it were ſo glorious, that Men began to preſage much Happineſs from thoſe auſpicious Beginnings. He was not full Seven Years Old, when the ſad News of his Father's Death was brought to his Heroick Mother the Queen Dowager, who immediately carried him to the Army be- A.D. 1460.

K. *James* III carried in his Infancy to the Siege of *Roxburgh.*

fore *Roxburgh*(*a*), and ſhewing him to the Officers and Soldiers, bid them be of good Heart; for, ſaid ſhe, "Here is your King. Continue the Siege now almoſt perfected with no leſs Courage, "than if his Father were ſtill preſent to witneſs it. His Loſs is "too great, let it not be aggravated by that of your Reputation; "and if you loved the Father, ſhew it by your ſteady Endeavours to enlarge the Dominions and Empire of the Son. The Sight of the Royal Infant, and the unexampled Reſolution of the Queen, gave new Life to the whole Army, who, after have aſſiſted at the Coronation of their new Sovereign, which Ceremony was performed at *Kelſo*, and taken the uſual Oath of Allegiance to him, returned to the Work in Hand with incredible Alacrity. They were ſo ſucceſful, that, a few Days after, the Beſieged offered to capitulate, and that ſtrong Fortreſs which had been ſo long in the Hands of the *Engliſh*, was again reſtored to its rightful Owners. From *Roxburgh* the Army marched into *England*, over-ran large Tracts of the Northern Counties, took ſeveral Caſtles, and among the reſt that of *Wark*, which they demoliſhed. This done, the Nobility and principal Commanders returned with, or ſome time after the King and Queen to *Edinburgh*, where a Parliament was to ſit, in order to ſettle the Government, and to prevent by all means poſſible, during the Minority of the preſent King, thoſe Inconveniencies that had attended that of the laſt. But as the perſonal Attendance of all was not neceſſary for that Purpoſe, ſo a great many of them, being deſirous of a further Opportunity, either to purchaſe Wealth, or to ſignalize their Valour, chuſe to ſtay where they were, and to offer their Services to the diſtreſſed Queen of *England*, who was at the Time in thoſe Parts, whither the Loſs of the Battle of *Northampton*, and the Captivity of her Husband King *Henry* VI. had driven her.

Is crowned at *Kelſo.*

Roxburgh taken in his Preſence.

Caſtle of *Wark* taken and demoliſhed.

That unfortunate Prince (*b*), whoſe Uſurpation was the Crime of his Father and Grandfather more than his own, having fallen into the Power of the Earls of *March* and *Warwick*, had been conducted to *London*, whither his grand Rival, the often Victorious Duke of *York*, ſoon followed, with a Reſolution to lay aſide the Mask which till now he had worn, and openly to lay Claim to the Crown, which he believed to be his own, having ſuffered it to remain on the Head of another, for no other Reaſon, but becauſe he durſt not attempt to pull it off. And now after long debating of the Matter, and deliberate Conſultation among the Prelates, Peers and Commons, it was at length determined, That foraſmuch as *Henry* had been acknowledged King for the Space of 38 Years and more, he ſhould enjoy that Name and Title, and the Poſſeſſion of the Kingdom during his natural Life; and if he either died, or reſigned, or forfeited the ſame, by breaking, or violat-

(*a*) Boet. f. 381. &c. Leſly, p. 299, &c. Buchan. p 400, &c. Hawthorn. p. 110, 111, &c. (*b*) Echard, p. 511, 512, &c. Baker, p. 280, 281, &c. Orleans, Liv. 6. p. 276, 277. &c.

violating any Point of this Contract, then the ſaid Crown and Dignity ſhould immediately be devolved upon the Duke of *York*, and the lawful Heirs of his Body, excluding all thoſe of King *Henry*. This ſolemn Agreement, being put into diverſe Articles, was ingroſſed, ſigned, ſealed and ſworn to by the King and Duke. But this laſt had all the Power in his Hands, and cauſed the former to do what he had a mind, as appears from many Writs ſtill extant. I ſhall take notice of Two. By the firſt (*a*) King *Henry* declares *Richard* Duke of *York*, the Earls of *March*, *Salisbury*, &c. to have always been his moſt faithful Subjects and Couſins; and owns the Wrong he had done them in thinking otherwiſe. By the other (*b*), dated the 12 of the ſame Month, he appoints his moſt dear Couſin *Richard* Earl of *Salisbury*, to march at the Head of an Army againſt his Adverſary *James* King of *Scotland*, who, ſays he, has invaded *England*, and laid Siege both to *Roxburgh* and *Berwick*. This is a Proof that the Death of King *James* II. which happened on the 3*d* of *Auguſt*, was a Secret for ſome Time, but is no Proof at all that King *James* did not deſign to favour the Cauſe of King *Henry*, by undertaking thoſe Sieges; for at that Time *Henry* was in the Hands of thoſe Lords, and obliged to act conformably to their Directions. And now that the Chief of them was declared Protector of the Kingdom, he diſpatched Letters in the King's Name, ſays Sir *Richard Baker* (*c*), into *Scotland*, whither the Queen had retired; (tho, according to others, ſhe came no farther at this time than the Biſhoprick of *Durham*,) requiring her, the Dukes of *Somerſet* and *Exeter*, and the reſt of the Nobility who were with her in that Kingdom, to repair to his Preſence in *London*. But they had other Work in hand, for having got an Army together of *Engliſh* and *Scots*, amounting to the Number of Eighteen Thouſand Men, they marched into *Yorkſhire*, and were met at *Wakefield* by the Protector, who, tho very far inferior to them in Numbers, yet declined not to fight: But to his Coſt; for himſelf, his Son *Edmond* Earl of *Rutland*, and about 3000 more were killed upon the Spot. And this was the fourth Battle occaſioned by that unhappy Competition between the Houſes of *York* and *Lancaſter*. *Edward* Earl of *March*, Son and Heir to the deceaſed Duke of *York*, early in the next Year 1461, in purſuance of his Father's Quarrel, ventured upon a fifth, and gained it at *Mortimer-Croſs*. But the Martial Queen with her Army conſiſting of *Scots*, *Welſh* and *Iriſh*, as well as *Engliſh*, ſoon retrieved that Loſs by a ſecond Victory which ſhe obtained at St. *Albans*, this being the ſecond Battle fought in that Place, and the ſixth ſince the Commencement of thoſe Jarrs. No Body doubted but the Conſequences of it would have been ſuch as the Queen could wiſh, for ſhe relieved the King, and with him marched ſtraight to the City of *London*, yet could not

The Duke of *York* made Protector of *England*.

Writes threatning Letters to the Queen of *England*;

Who with an Army of *Scots* and *Engliſh* defeats and kills him;

A.D. 1461.

Relieves the King her Huſband.

(*a*) Fœd. Ang. Tom. 11. p. 460. (*b*) Ib. p. 461. (*c*) p. 282.

enter it, the Citizens being eminently diſaffected to her Cauſe, and the Earl of March coming up at the ſame time with a Force not eaſily to be reſiſted. This ſo terrified her, that ſhe ſuddenly returned towards the Northern Parts, impolitickly leaving ſome Marks of Severity, if not Cruelty, behind her. The Earl of *March* on the contrary, who, for his many amiable Qualifications, was in every Man's Mouth and Affections, met with all the Encouragements he could deſire towards obtaining his End, which was the Crown; to which indeed he had an undoubted Title by Deſcent, as Heir to the Third Son of King *Edward* III. and it was thought ſo much the better, becauſe the Agreement ſo ſolemnly made between King *Henry* and his Father, had been violated by the former, at leaſt by the Queen his Wife, whoſe Counſels and Actions he evidently countenanced, both by his Preſence and Authority. To be ſhort, *Edward* IV. for ſo we muſt henceforth call that Darling of Fortune, formerly the Earl of *March*, was with the univerſal Applauſes of the People proclaimed King on the fourth of *March*; and he appeared the next Day, with all the Marks of Sovereignty, in the Church of St. *Pauls*, where his Air, and Mien, and Youth (he was the handſomeſt Prince of that Age) raiſed new Acclamations of Joy, and attached to his Perſon thoſe good Inclinations which the City had of a long Time entertained with reſpect to his Houſe. But he was too wiſe to be dazled or diverted by the Flatteries of a changable Populace, while there was yet a powerful Enemy in the Field, an acknowledged King, an Heroick Queen, an hopeful young Prince their Son and Heir, and an Army willing and able to fight his Forces at any juſt Diſtance from that unequal City. Reſolving therefore to loſe no Time, he followed the retreating Enemy to the North, and a ſeventh Battle enſued between *Caxton* and *Towton*, ſo obſtinate, that one Day was not long enough to determine it; and ſo bloody, that no leſs than 36700 Men fell on the Spot. At length King *Edward* gained the Day, and King *Henry* hearing of the Event (for he was not allowed to be at the Battle, his Preſence being thought fatal to either of the Parties that had it,) haſtned with his Wife and only Son, firſt to *Berwick*, where he left the Duke of *Somerſet*, and then to *Edinburgh*, where he was received with uncommon Civility, being honourably lodged, and royally entertained by the joint Conſent and Direction of the then Regents. For,

Whoſe Forces are defeated by *Edward* IV. his Rival.

And who with his Wife and Son retires to *Scotland*.

The Miniſtry ſettled in *Scotland*.

Before this Time, tho I cannot preciſely tell when, a Parliament had met, and after much Contention, determined that the Queen Mother ſhould have the Cuſtody of the young King, his two Brothers and Siſters; but that the Adminiſtration of Affairs ſhould be divided among a ſelect Few of the Nobility (*a*). The Perſons pitched upon for that Purpoſe, were the Biſhops of *Glaſgow* and *Dunkeld*, *Robert Sinclair* Earl of *Orkney*, *Robert Boyd*, *William*

(*a*) Buchan. p. 412, &c. Leſly, p. 299, &c.

am Graham, and *John*, or rather *Gilbert Kennedy*, all Lords of Parliament and Chiefs of their respective Families. Some Authors (*a*) say that *James Kennedy* Bishop of St. *Andrews*, and *Andrew Stewart* Lord *Evandale*, the natural Son of *James* Duke *Murdoch*'s Son begot in *Ireland*, were also of the Number: And it is certain, that whoever ruled the Kingdom, were themselves, to their great Glory, and the infinite Advantage both of the King and People, ruled by the Bishop of St. *Andrews*, acting, whilst that excellent Prelate lived, with uninterrupted Harmony and wonderful Unanimity; in so much that the People could scarcely perceive that the Sovereign was a Minor, so equally was Justice administred, and so skilfully were Disorders of all Kinds prevented, or suppressed. A Ministry so well affected to their own Country could not fail of improving the Advantages offered to them by the Distractions of their Neighbours. With this View they heaped Favours upon their Royal Guests, whom they not only entertained with all Humanity, but promised Succours, and concerted Measures, in order to their Restoration; which, as it was highly generous and plausible, so it could not be thought unlawful: For, as Mr. *Echard* (*b*) tells us, the Point of Right being so difficult to determine nicely, doubtless it made the Contest on both Sides, how ruinous soever to their Families, not unsafe to their Consciences; which, if it be true with respect to the *English*, who knew or ought to have known their own Constitution, is much more so with respect to the *Scots*, who being Strangers, nay Enemies at that time, cannot be supposed to have been throughly acquainted with it. It was not their Province to decide who was, or was not King of *England*: But as *England* and all the World besides had owned this *Henry*, his Father, and Grandfather to have been Kings, so the Regency of *Scotland* did not think fit to disown him in his Distress. He himself and all in his Interest were so much affected with their Civilities, that to requite them in some Manner, they very frankly gave up to the Crown of *Scotland*, both the Town and Castle of *Berwick*, which having been usurped by *Edward* III. during the Minority of *David* II. his Brother-in-law, had remained till now in the Hands of the *English*. Nay, the two Queens (who by Reason of their Descent from the Blood Royal of *France*, but more because of the masculine Courage of their Souls, had a wonderful Simpathy with one another,) agreed with the universal Consent and Approbation of both Courts, that *Edward* the titular Prince of *Wales*, and Princess *Mary* the eldest Sister of King *James*, should be joined together in Marriage, and thereby the Interests of both the Royal Families more closely united. The Earl of *Angus* was then undoubtedly the greatest Subject in *Scotland*, his Loyalty and Courage having merited and procured to himself and his Posterity, most of the Lands that had formerly belonged to his Chief the Earl of *Douglas*. For

Berwick restored to the Crown of *Scotland*.

(*a*) Hawthor. p. 111. (*b*) p. 521.

Remarkable Agreement between the King of *England* and Earl of *Angus*.

theſe Reaſons, the exiled King and Queen of *England* thought it highly neceſſary to fix him in their Intereſt. "With this View "King *Henry* (*a*), being aſſured of all the Aſſiſtance in the Power "of the Earl to give him, obliged himſelf to give to *George Earl* "*of* Angus *and his Heirs* certain Lands lying between the Rivers "of *Trent* and *Humber*, to the Value of 2000 Merks *Sterl.* of "yearly Rent; to erect thoſe Lands into a Dukedom; to make "it lawful for the ſaid Earl or Duke, to repair to the Court of "*England*, or to the ſaid Dukedom, as often as he pleaſed, with a "Retinue of 100 Horſe in Time of Peace; and in caſe of a War "between the two Kingdoms, to grant his Protection to 24 armed Men, who ſhould reſide in the ſaid Dukedom, and in the "Earl's Name receive the Rents and Revenues of the ſame. The Indenture or Agreement between them, had ſeveral other Clauſes; ſuch as, "That the Earl might make War againſt the Crown of "*England*, at the Deſire and Command of his more immediate "Sovereign the King of *Scotland*, and ſhould not be bound to anſwer in Perſon to the Parliament, or any other Court of Juſtice "in *England*". From all which it appears that the Kings of *England* in thoſe Days were no leſs willing to bribe *Scotſmen* into their Service with the greateſt Honours and Rewards in their Power to give, than the Kings of *France*: But as the Preferments which they obtained from the laſt were not only harmleſs, but alſo advantageous to *Scotland*, ſo thoſe granted to them from the former, proved always miſchievous in the higheſt Degree; and I am very much ſurprized that the Regency were ſo imprudent, as to comply with ſuch an Agreement as might be a Means to engage the greateſt Subject and beſt Family of the Nation into an Intereſt inconſiſtent with that of the Nation it ſelf; for tho they very well knew, that the Fidelity of this Earl of *Angus* was ſuperior to all Temptations, yet they had no Aſſurance of his Poſterity, nor even of his own Son and immediate Succeſſor, who, as we ſhall afterwards ſee, was on many Occaſions influenced by much leſs Favours from *England*, to betray both his King and Country. However, theſe Tranſactions being compleated, the indefatigable Queen of *England* left the King her Husband at his Lodgings in the *Gray-Friers* of *Edinburgh*, where his own Inclinations to Devotion and Solitude made him chuſe to reſide, and went with her Son into *France*, not doubting but that by the Mediation of the King of *Sicily* her Father, ſhe ſhould be able to purchaſe both Men and Money in that Kingdom: And had her Endeavours been as ſucceſful there, as they were here, ſhe had certaintly ſhaken, and perhaps overturned the unſettled Throne of her Enemy. But King *Edward* being ſufficiently appriſed of the gathering Storm, left nothing undone to prevent or diſſipate the ſame. The forfeited Earl of *Douglas*, *John Douglas* of *Balveny* his Brother, and ſome other *Scots* Refugees thinking fit to ſwim with

(*a*) Chart. penes Ducem de Douglas. Godſ. p. 216.

with the Torrent, undertook to cut out Work for the *Scots* Regency at Home, and were as good as their Words; for they prevailed with their old Confederate the Earl of *Roſs*, and ſome other Mountaineers to raiſe a Flame in thoſe Parts, which they thought the Government would ſcarcely be able to extinguiſh. The firſt Spark of the intended Miſchief appeared in the Houſe of *Lorn*, *Alan* a younger Brother of that Family having unnaturally ſeized upon *John* the Firſt-born, with Intention to rob him of his Life and Fortune. This was a piece of Barbarity not to be ſuffered in a civilized Country; wherefore *Colin* Earl of *Argyle*, having drawn together a competent Number of his Vaſſals, overpowered the injurious *Alan*, and committed him to a cloſe Priſon, where it is certain that he died, but whether a violent or natural Death, Authors do not relate; neither can I poſitively aſſert that he had been acted by Influence from *England*, but another undoubtedly was, I mean *Donald* Earl of *Roſs*, who reſumed his Pretenſions to Independency within the *Iſles*, and to make them good, ſeized upon the King's Caſtle of *Innerneſs*, from whence he laid all the Neighbouring Countries under Contribution (*a*). The Fear that ſeized upon ſome, and the riotous Diſpoſition of others, very much encreaſed his Army, with which he marched to *Athole* ſo quickly, that the Earl of *Athole*, who was the King's Uncle, and his Lady not daring to truſt themſelves to the Walls of their Caſtle of *Blair*, tho very ſtrong, took Sanctuary in a Neighbouring Church dedicated to the famous Virgin St. *Bride*; whither alſo the Country People convoyed their beſt Effects as to a ſafe Repoſitory. But the Iſlanders on this Occaſion had no Regard either to Places or Perſons; they ſet the Church on Fire, put ſome Church-men to the Sword, and carried away the Earl and Counteſs of *Athole*, together with a great Booty to the Iſland of *Yla*. The Miniſtry made all the Haſte they could to bring the Actors of theſe Miſchiefs to Puniſhment, and they had already drawn an Army together for that Service; but divine Juſtice was quicker than humane Endeavours; for, as the Earl of *Roſs* was returning from the Iſland I mentioned but juſt now, in order to a ſecond Expedition, his Fleet, which conſiſted of long Boats or Galleys, was by a ſudden Tempeſt diſperſt, and moſt of his Men drowned before they could get back to any of the Iſles, or forward to the Continent. They who eſcaped were ſo much ſtunned with the Conſcience of their Guilt, that they not only ſet the Earl and Counteſs of *Athole* at Liberty, but alſo, which was an evident Demonſtration of their unfeigned Repentance, carried back all the Booty to the Church from whence they had taken it; nay, they gave more to that Church than they really had taken, and did their Devotions at the Shrine of the Saint, in the moſt humble and penitential manner that could be. The Earl of *Roſs* himſelf died very ſoon after, *Leſly* ſays, in the

The Earl of *Douglas* in the Service of King *Edward*

Occaſions many Diſturbances in *Scotland*.

Donald Earl of *Roſs* Revolts.

Dies.

(*a*) Buchan. Leſly, Hawthorn. Boet. &c.

Caſtle of *Innerneſs*, where an *Iriſh* Harper found means to kill him; but at whoſe Inſtigation, or for what Reaſon, no Author relates.

This terrible Chaſtiſement, in which the immediate Hand of God ſeemed to be ſo viſibly apparent, made, it ſeems, no deep Impreſſion upon the Mind of *John* his eldeſt Son and Heir, who purſued the ſame Meaſures, and renewed the ſame, if not worſe Intrigues with the *Engliſh* Court and the Earl of *Douglas*, in ſo much, that on the 19*th* of *October* 1461 (*a*), being at the time at his Caſtle of *Ardthornis*, he appointed, as if he had been inveſted with Sovereign Authority, his Couſins *Ranald* de *Inſulis* and *Duncan* Arch-dean of the *Iſles* to treat with *Edward* King of *England*; and King *Edward* in the like manner appointed the Biſhop of *Durham* and the Earl of *Worceſter* (*b*) to treat with *his moſt dear Couſin* John *of* Iſle, Earl of *Roſs* and Lord of the *Iſles*. This laſt Commiſſion was dated at *Weſtminſter* 8*th* of *February* 1462, and by the 13*th* of the ſame Month (*c*) the Treaty was finiſhed at *London*; a very remarkable Treaty, by vertue of which, "The ſaid "*John* Earl of *Roſs*, *Donald Balach*, and *John* of *Iſle*, Son and "Heir apparent of the ſaid *Donald*, with their Vaſſals and Te- "nents, were obliged to become Liegemen and Subjects to King "*Edward*, and his Heirs at *Whitſunday* next, and ever after to be "ready to ſerve the ſaid King *Edward* with all their Power in *Scot-* "*land*, or againſt the *Scots* in *Ireland*, and all others his Majeſty's "Enemies in that Country. King *Edward* on the other hand, oblig- "ed himſelf to give to the Earl of *Roſs* during his Life, a yearly "Penſion of 100 *Merks Sterling* in time of Peace, and of 200 *Lib.* "*Sterling* in time of War; as alſo to *Donald Balach* 20 *Lib.* in time "of Peace, and 40 in time of War; and laſtly to *John* the Son of "*Donald* 10 *Lib.* in time of Peace, and 20 in time of War." It was further agreed, "That in caſe the Kingdom of *Scotland* ſhould "be conquered in purſuance of theſe Engagements, that the "Earl of *Roſs*, *Donald Balach*, and their Heirs, ſhould have and "hold of the Crown of *England*, all the Poſſeſſions of the ſaid "Kingdom by North the *Scottiſh Sea*, and that the Earl of *Douglas* "ſhould be reſtored upon the ſame Conditions to his Inheri- "tance and Poſſeſſions by South the *Scottiſh Sea*." In fine, "that if the two Kings of *England* and *Scotland* ſhould chance to "agree to a Truce or Ceſſation of Arms, that the Earl of "*Roſs*, *Donald* and *John*, their Lands, Iſlands, *&c.* ſhould be "comprehended in the ſame." The like Aſſurance was afterwards given in Writing (*d*) to the Earl of *Douglas*, who, by an expreſs Order (*e*) of King *Edward*, got payment of the Penſion of 500 *lib.* formerly granted to him by the now exiled King *Henry*. And that this was no mean Allowance is evident, ſince it appears (*f*), that when King *Edward* created his own Brother *Richard* Duke

John his Son and Succeſſor enters into a League with *Edward* IV. of *England*.

A. D. 1462.

(*a*) Fœd. Angl. Tom. 11. p. 486. (*b*) Ib. p. 483. (*c*) Ib. p. 484, 485. (*d*) Ib. p. 492. (*e*) Ib. p. 487. (*f*) Ib. p. 476.

Duke of *Gloceſter*, he gave him only an Annuity of 400 *lib.* to enable him to live up to that high Title, and his higher Quality of Prince of the Blood, and Brother of the King.

Whilſt King *Edward* endeavoured by theſe Means to divide and weaken the *Scots*, Queen *Margaret* was buſy in *France* ſolliciting Succours in order to ſtrengthen them, and to attempt the Reſtoration of her Husband by the joint Aſſiſtance of both. But all ſhe could obtain was the Loan of 20000 *French* Livres (*a*), for which ſhe obliged her ſelf to cauſe the Town and Caſtle of *Calais* (the only Place in *France*, yet poſſeſt by the *Engliſh*) to be put in the Hands of *Lewis* XI. till the Money ſhould be repaid. As for Men, ſhe could procure no more than 500 (*b*), with whom ſhe ſailed towards *Newcaſtle*, and touching on the Bay of *Tinmouth*, out of ſome peculiar Apprehenſions ſhe put back to Sea, when ſuch a ſudden Tempeſt aroſe, that the Veſſel, in which ſhe her ſelf and the Prince her Son were, was driven to *Berwick*, and the reſt of her Company on the Shore before *Bamburgh* Caſtle, where they ſet their Ships on fire, and fled to *Holy-Iſland*, but were purſued by the Baſtard *Ogle*, and other Friends of King *Edward*, who killed many of them, and made Priſoners of the Remainder: Only their Captain *Peter Breze* with a few more, had the good luck to eſcape in a ſmall Boat to *Berwick*, and was made Governor of the Caſtle of *Alnwick*. This feeble *French* Enterprize enervated the Minds of many, but noways daunted the Courage of the Queen, whoſe chief Hopes were founded upon the Affection and Valour of the *Scots*. They raiſed an Army in her Favour, with which ſhe and the King her Husband entred *Northumberland*, took the Caſtle of *Bamburgh*, and ſo paſt into the Biſhoprick of *Durham*, their Forces daily encreaſing by the Confluence of ſuch *Engliſh* as were in the Intereſt of the Houſe of *Lancaſter*. But theſe Forces wanted both Pay and Proviſions, and therefore pillaged the Towns, and deſtroyed the Fields whereſoever they came, which, as it made them odious to the Country, ſo it proved ruinous to themſelves, no Army being capable of effecting great Things without good Order and ſtrict Diſcipline. They were encamped in a fair Plain called *Livels* near *Hexham*, when the Viſcount *Montague*, who ſome Days before had defeated a Body under the Conduct of Sir *Ralph Percy*, had the Courage to attack them in their Entrenchments, which he did with ſo much Vigour and Art, that he gave them a total Overthrow, with the Loſs of 2000 Men. And this was the eighth Battle fought between the *White* and *Red* Roſes. The unfortunate King *Henry* fled again into *Scotland*, having eſcaped ſo narrowly, that one of his Henchmen who followed him, was taken, having on his Head King *Henry*'s Helmet, or, as ſome ſay, his high Cap of State, called *Abacot*, garniſhed with two rich

A. D. 1463

The Queen of *England* returns from *France* to *Scotland*.

Is defeated in *England*.

(*a*) Traitez d'Entre les Roys de Fr. & d'Angl. p. 370. (*b*) Echard, p. 523. Baker, p. 253. Orleans, liv. 6. p. 292, 293, &c.

Crowns, which was presented to King *Edward* at *York* on the 4th of *May*. It is not so certain what came of Queen *Margaret*. Some write that she also made her Escape into *Scotland*, but staid no longer there than was necessary to make ready for a second Voyage into *France*.

Goes back to *France*.

King *Edward*, after having caused a great many of the *English* Nobility and Gentry, who had fought for King *Henry*, to be put to Death as Rebels and Traitors, sent an Army to take in such Garrisons as Queen *Margaret* had placed in the North. Among the rest *Alnwick* was besieged, and with great Gallantry defended by *Breze* and the few *French* he had with him. But they were all like to be made Prisoners of War, when *George Douglas* Earl of *Angus* appeared in View of the Place with 10000 Horse, who by their Colours and Arms being known to Captain *Breze*, he resolved to sally out and meet them. This was a very bold Attempt; for the *English* Army consisted of above 20000 Men, and yet they stood still, and looked on while the *Scots* carried off their *French* Friends without Molestation. Some were for charging them in the Rear, but the General thought it more advisable to take the abandoned Castle without Danger, than to hazard a Battle with Men so stupendously resolute. And now the Affairs of King *Henry* were quite desperate, his Party in *England* being entirely cut off, and there being no Foreigners but the *Scots* alone inclinable to support him, the Regency of *Scotland*, who had otherwise much to do, began to entertain Thoughts of an Accommodation with King *Edward*. Accordingly the Bishops (*a*) of St. *Andrews* and *Glasgow*, the Abbot of *Holy-rood-house*, Mr. *James Lindsay* Keeper of the Privy Seal, *Colin* Earl of *Argyle*, *James* Lord *Livingston*, *James* Lord *Hamilton*, *William* Lord *Borthwick*, *Robert* Lord *Boyd*, and Sir *Alexander Boyd*, were sent to *York* in order to negotiate a Truce, which was agreed to on the 19th of *December*, upon the following Conditions (*b*): 1*st*, "That it should last from the 16th Day "of *December* by Land and fresh Water, to the last Day of *Octo*"*ber* next coming; and from the first Day of *February* next, till the "same last Day of *October* by Sea. 2*dly*, That *James* King of "*Scotland* should give no Assistance to *Henry*, *late calling himself* "*King* of *England*, *Margaret* his Wife, *Edward* his Son, *Henry* "*Stanford* late Duke of *Somerset*, *Thomas* late Lord *Roos*, *Robert* "late Lord *Hungerford*, Sir *Ralph Gray*, Sir *Richard Tunstall*, nor "to any other of the Traitors or Rebels to *Edward* King of *Eng*"*land*; that he should not protect them, or any of them within "his Dominions longer than he is obliged to do by his safe Con"duct already granted to them, and that he should not grant a"nother safe Conduct during the Abstinence or Truce. 3*dly*, That "in the like Manner, *Edward* King of *England* should give no "Countenance nor Protection to any Traitors or Rebels to King *James*

Bold Action of the Earl of *Angus*.

Truce with *England*.

(*a*) Fœd. Angl. Tom. 11. p. 510. (*b*) See the Indenture it self in the Regist.

" *James*; and that he ſhould grant no ſafe Conducts to any of " them, other than are already granted. 4*ly*. That in re- " gard *James* Earl of *Douglas* was become Liegeman to King *Ed-* " *ward*, he and ſuch other *Scotſmen*, as are, or may become his " Subjects or Liegemen, ſhould enjoy the Benefit of the Truce. " 5*ly*, That if *Henry late called King of* England, *Margaret* his " Wife, *Edward* his Son, or any others their Adherents have or " ſhall put themſelves in the Obeyſance of, or become Liegemen " to the ſaid King *James*, they ſhould in that caſe have the Bene- " fit of the Truce as all others his Liegemen."

There is no Mention in this Record of the Earl of *Roſs*, or *Donald Balach*, by which it appears, that the *Scots* knew not as yet of the treaſonable Agreement they had made with King *Edward*: Which is the more ſurpriſing, becauſe in the beginning of this Year (*a*) King *Edward* had named Commiſſioners to receive their Homage, and to take their Oaths of Allegiance in purſuance of it. But the Earl of *Douglas* having openly renounced his Country, and owned himſelf a Subject of *England*, was protected accordingly, and much about this time (*b*) preferred to the Guardianſhip of the Caſtle of *Craigfergus* in *Ireland*: But it was not to be expected that King *Henry*, whoſe Head had been adorned with two Crowns the faireſt in Chriſtendom, that of *France* and that of *England*, would condeſcend to become a Subject of *Scotland*; and therefore this Treaty ſeems to have been hard upon him, and was probably one of the Reaſons why he afterwards left *Scotland* in diſguiſed Apparel, and paſt into *England*, where he was betrayed by ſome about him into the Hands of his Enemies, and carried to *London* after a diſgraceful manner, with his Legs bound under the Horſe's Belly. A barbarous Treatment, yet ſuch as he ſuffered with exemplary Patience, and was ſo far from complaining that the *Scots* had abandoned him, that on the contrary all Authors, who have written upon the Subject, highly extoll, as no doubt he did himſelf, their generous Endeavours to replace him upon the Throne, as well as the kind Entertainment he met with while amongſt them; which I doubt not but they would have continued to the laſt, as they might have done by renewing his Paſs or ſafe Conduct at the Determination of the Truce, had he not been *hurried on*, as Mr. *Echard* expreſſes it (*c*), *by his own Fate*; and Sir *Richard Baker* (*d*) tells us, that he was *led by the left Hand of Deſtiny, venturing in Diſguiſe to come into* England, *upon what Occaſion no Man knows*. So far were all Men from attributing that falſe Step to the Articles of Agreement between King *Edward* and the *Scots*; tho, to ſay the Truth, I am ſorry that ſuch an Agreement was made. But it is evident that the *Scots* could not well help it; it was not to be thought, that they alone could attempt the conquering of *England* and *Ireland* in his behalf; and ſince

Henry VI. of *England* leaves *Scotland*.

Is made a priſoner.

(*a*) Fœd. Angl. Tom. 11. p. 499. (*b*) Ib. p. 510. (*c*) p. 523. (*d*) p. 253.

what they did was more than any other Nation would do, or than he, when in Power, had deſerved at their Hands, it is no Wonder that they chuſe to ſecure their own Country by a Truce, after they had expoſed it to ſo much Danger in a Quarrel which was not their own, and upon the Matter, none of the moſt juſtifiable, King *Edward*'s Title being undoubtedly the beſt.

A. D. 1464. The Truce was like to have been violated by an Accident which fell out the next Year 1464. The Queen Mother, who died the Year before, had ordered her ſecond Son to be ſent to the Court of *Gueldre*, and with this View a ſafe Conduct was obtained (*a*) from King *Edward*, dated at *Weſtminſter* the 20*th* of *April* to *Alexander*, called in the Record *Prince of the* Scots, Duke of *Albany*, Earl of *March*, Lord of *Annandale* and *Marr*, and to 200 Servants who were to attend him to the Parts beyond Seas; notwithſtanding which, he was taken at Sea in the Month of *June*, or rather of *May* (*b*), as he was ſailing thither; tho *Leſly*, *Buchanan* and others ſay, that he was returning from thence; which is certainly a Miſtake. However, the Injury done was ſufficiently reſented, and War had been denounced, if the Duke and his Train had not been inſtantly relieved, and honourably diſmiſſed. For the ſame Ambaſſadors, who had negotiated the preſent Truce (*c*), were actually at *York* when he was ſeized, and they not only effected his Delivery, but on the firſt of *June* prolonged the Truce for the Space of no leſs than fifteen Years. And now all Men thought that after ſo long a War, a perpetual Peace would at length enſue, towards which it muſt be owned that King *Edward* made ſeveral Steps, as appears from two of his Commiſſions, the firſt (*d*) of the 9*th* of *October* 1464, and the ſecond (*e*) dated at *Weſtminſter* the 20 of *June* 1465; by both which he impowers his Ambaſſadors to conclude a final Peace, and to cement it, if poſſible, by a Marriage between the King of *Scotland* and ſome *Engliſh* Lady; or at leaſt by ſeveral Intermarriages between the Subjects of both Kingdoms. But it ſeems that the Council of *Scotland* were not ſo forward, the old Maxim of their Anceſtors handed down from the great King *Robert* I. being ſtill thought good, and a State of War interrupted and allayed by frequent Truces in all reſpects preferable to a ſettled Peace, from whence they foreſaw that the Diſſolution of the *French* League, and the Diſregard of foreign Potentates, together with Idleneſs, Luxury, Effeminacy, and Faction at Home would enſue, to the inexpreſſible Detriment, if not Ruin of the Nation. Yet they were willing that a longer Truce ſhould be agreed to than had formerly been heard of; and the King was adviſed to appoint the ſame Plenipotentiaries who had been imployed before on the like Errands to repair to *England*. He did it accordingly (*f*) at *Down* in *Menteith*

The Duke of *Albany* is taken at Sea, but ſoon relieved.

Scots courted by the *Engliſh*.

A long Truce agreed to.

(*a*) Fœd. Angl. Tom. 11. p. 220. (*b*) Fererii Append. Scot. Hiſt. p. 386. Leſly, p. 302. (*c*) Fœd. Angl. Tom. 11. p. 525. (*d*) Ib. p. 535. (*e*) Ib. p. 546, 547. (*f*) Ib. p. 549.

Menteith the 28*th* of *November*, and the Truce was prolonged till (*a*) the laſt of *October* 1519, a much longer time than it was like to be well obſerved by two Nations ſo warlike, and ſo diſinclined to one another.

The very Proſpect of ſo long a Calm, all Apprehenſions of Danger from *England* being removed, had a malign Influence upon the Minds of ſome aſpiring Men in the Miniſtry, but they durſt not own their Deſigns; for *James Kennedy*, the never enough to be commended Biſhop of St. *Andrews*, ſtill lived, and while he lived (*b*), nothing was, or could be done amiſs with reſpect to the Government. His Reputation was ſo well eſtabliſhed, being founded upon the innumerable good Offices which he had done to the two laſt Kings, and indeed to the whole Kingdom, his venerable old Age, his rigid Vertue, conſummate Prudence, high Quality (for he was the Grandſon of King *Robert* III.) and ſacred Function, that the reſt of the Miniſters who were appointed to attend the Education of the King and Adminiſtration of Affairs, courted nothing ſo much, as that he would be pleaſed to approve of their Conduct; ſo that being ſuperior to Envy, and equal to the greateſt Truſt, he ruled without a Rival, diffuſing Peace and Plenty, Juſtice and Mercy, Frugality and Splendor, Learning and Piety through the whole Economy both of the Church and State. It is a Pity that ſuch Men as theſe ſhould be born to die; at leaſt that they ſhould die, as it often falls out, in ſuch critical Times and Circumſtances as make their Loſs irretrievable. This great Prelate left this World on the 10th of *May* (*c*) 1466, leaving behind him an indelible Memory, together with three noble Monuments of his Magnificence; (*d*) The College of St. *Salvator* at St. *Andrews* for the Education of Youth; a Tomb, admirable for its artful Structure, in which he himſelf was interred; and a Ship of a prodigious Magnitude and great Strength, generouſly deſigned to encreaſe the Honour and Wealth of the Nation. He did much more; for he alſo left Order and Concord among the Miniſters of State, whoſe Conduct had till now been irreprehenſible: But it was not long ſo.

Character and Death of Biſhop *Kennedy*.

A. D. 1466.

Robert Lord *Boyd*, one of the King's Tutors, had a fair Fortune in the Weſt, many Dependents, and a hopeful Progeny of his own, *Thomas* and *Robert* (*e*). Beſides, he had a Brother Sir *Alexander*, who for his bright Parts, good Breeding and Knightly Proweſs, was univerſally eſteemed, and upon all theſe Accounts preferred to the Honour of Teaching the King all the more courtly and military Exerciſes which were then in Faſhion; ſo that as the elder Brother had a large Share in the Adminiſtration of Affairs, the ſecond by his nearneſs to the King's Perſon, had no ſmall Influence over his youthful, or rather childiſh Inclinations, which he endeavoured too ſucceſsfully to mould and turn to his own Purpoſes;

(*a*) Ib. p. 557. (*b*) Buchan. p. 413, 414. (*c*) Ferrer. Append. Scot. Hiſt. f. 387. (*d*) Leſl. Joan. Maj. in vit. Regis. (*e*) Buchan. p. 414. Hawthor. p. 120.

both by these Means designing to engross all Preferments and Places of Trust to their own Family or Kindred. With this View Sir *Alexander*, who himself gratified the King in all his Conceits, failed not to aggravate the Severity of his other Governors and School-masters, who, he said, took too much upon them, and that the Time was approaching when he might rid himself of their pedantick Authority, and instead of receiving, give Laws. These Infusions had their intended Effect; and the King being now twelve Years old, and freed from the Ascendant which the late Bishop of St. *Andrews* had over him, resolved to take the Government upon himself, that is, to transfer the whole Power of the State and Glory of the Court to the *Boyds*. To effect this, it was necessary that he should make his escape from *Linlithgow*, where *Gilbert* the Lord *Kennedy*, who outlived the Bishop his Brother some Years, as appears by his Testament still extant, and his eldest Son *John* had a watchful Eye over him: But they were deluded by means of a hunting Match, to which the King was invited, and where the *Boyds* with their Friends, *Adam Hepburn* Lord *Hales*, *John* Lord *Somerville*, and Sir *Andrew Ker* of *Cesford*, failed not to attend. Instead of Hunting, they entred the Road that leads to *Edinburgh*, but were not gone above a Mile or two on their Way, when the Lord *Kennedy* (who had leisurely followed, suspecting this Hunting to be, as it really was, a Game of State,) came up with them, and laying his Hands upon the Bridle of the King's Horse, requested him to turn again to *Linlithgow*, and bid him beware of those Guids who thus treasonably attempted to carry him away. He was in the Right; for by a late Statute made upon the like Occasion, in the foregoing Reign, it was declared high Treason to seize upon, or carry away the Person of the King, without the express Command or Consent of the Estates assembled in Parliament. But the *Boyds* thought that the King's Person would guard them from the Penalty of Law, and that an after-Statute, which they doubted not to obtain, would cancel the former. With this Assurance, Sir *Alexander*, as if he meant to resent the Insolence done to the King, after some injurious Words, gave a rude Blow to the old Lord *Kennedy* with his Hunting staff; and so they went off to *Edinburgh* as was intended. This was acted about the 10th of *July*, two Months after the Death of the Bishop of St. *Andrews*, tho the Authors I last cited, insinuate that the Grief it gave him contributed to shorten his Days, which cannot be true, if *Ferrerius*, whom I have also cited, has not mistaken the Day on which he died. Besides, the Account it self seems to be faulty, for the *Boyds* being afterwards forfeited for this very Action, it appears by their Sentence, that when the King, being then but twelve Years of Age, was sitting in the Exchequer at *Linlithgow*, they forced him out of it contrary to his declared Will, and obliged him to remove from his Presence those who were

Male-administration of the *Boyds*

Who seize upon the Person of the King.

were appointed by the Eſtates to wait upon him. However,

The *Boyds* triumphed in the mean time, and having taken the whole Royal Authority with the King's Perſon into their own Hands, began very early to treat their Adverſaries with the utmoſt Contempt, and not content with having removed the Lord *Kennedy* from the Helm of Affairs, they ſent him an Ape (*a*) to divert himſelf with, intimating that he was idle and fit for no other Buſineſs. This Lord *Kennedy*, who by *Buchanan* is always called *John*, muſt needs have been the Lord *Gilbert*, for his Father *James Kennedy* of *Dunnure*, and his Mother *Mary*, *Robert* III's Daughter, were not married, till the Year 1404 (*b*); by conſequence he was this Year 1466, no older than ſixty Two, and that he outlived the Biſhop his Brother, who died this Year, appears from his Teſtament yet extant; from whence it follows, that he muſt have been the King's Tutor, it being highly improbable that his Son, who was indeed called *John*, would be choſen to that Poſt, during his Life. His Son was created Earl of *Caſſils* by King *James* IV. and from him that noble Family is lineally deſcended: But of this by the by. As the Lady *Mary* his Mother had been formerly married to the Earl of *Angus*, ſo after his Father's Death ſhe again remarried to Sir *William Graham*, the Anceſtor of the illuſtrious Houſe of *Montroſe*, by whom ſhe had *Robert Graham* the firſt Laird of *Fintrie*, a worthy Family ſtill extant in *Angus*, and Mr. *James Graham*. Now this Mr. *James* being the Lord *Kennedy*'s Brother, was therefore another Object of Hatred to the *Boyds*. He was (and, according to moſt Authors, deſervedly) choſen Biſhop of St. *Andrews* in the room of his Brother the late Biſhop *Kennedy*, by the Chapter appointed for that Purpoſe; but being debarred from his Office by the Violence of the Faction at Court, he made a Journey to *Rome*, both to get that Indignity repaired, and the Biſhoprick of St. *Andrews* erected into an Archbiſhoprick. He ſucceeded to his Wiſh, yet durſt not return to his own Country till ſome Years afterwards, when the Power of the *Boyds* was eclipſed. They took all imaginable Methods to prevent that Misfortune; and in the firſt place prevailed with the King to call a Parliament, which met at *Edinburgh* on the 9th of *October*, and in which the Lord *Boyd* well knowing that none durſt come thither but ſuch as were predetermined to comply with the Meaſures in hand, fell down upon his Knees, and in a long ſtudied Harangue complained (*c*) of the hard Conſtruction put upon the King's Removal from *Linlithgow*, beſeeching his Majeſty to declare his own Senſe and Pleaſure in that Buſineſs, and whether he or any of his Friends had therein offended. The King, as he had been taught before hand, replied that he had done him the beſt of Services, and that he had deſerved a Reward rather than Reproaches or Puniſhment. This

Perſecute the *Kennedys*.

And Mr. *James Graham*.

Procure a Parliament to be called.

(*a*) Buchan. p. 415. (*b*) Crawf. Hiſt. of the Stew. p. 21. (*c*) Buchan. p. 416, 417. Hawthor. p. 123.

Declaration was recorded in the Books of Parliament, and an Inſtrument importing the ſame Thing given to the Lord *Boyd* under the Broad Seal. Nay, ſome Authors tell us, that he was at the ſame time made Governor, or Regent, or Viceroy of the Kingdom, till the King ſhould arrive to the Age of one and Twenty, which I cannot believe, unleſs I ſee better Vouchers for it, than thoſe Authors who ſay ſo. *Ferrerius* and *Leſly* ſay no ſuch thing, and it is uſual with *Buchanan* to make Viceroys at pleaſure. I have ſeen Records wherein he is called *Camerarius Scotiæ*, which has occaſioned ſome Authors to ſay that he was Chancellor of *Scotland*, an Office at that time enjoyed by the Lord *Evandale*, and never by him. Beſides, he ſubſcribes below his own Son, after this laſt was made Earl of *Arran*, which probably he would not have done, if he had been Chancellor, and certainly could not do, if he had been either Governor or Viceroy. Tho it may be, that he was made on this Occaſion, what the Earl of *Douglas* had been in the laſt Reign, the King's Lieutenant and Keeper; and it is certain, that he governed in ſome Meaſure deſpotically, ingroſſing the Management of all Affairs in the Court and Country, Abroad and at Home, to himſelf, his Children, Kindred and Creatures. Yet he ſeemed to act in Conjunction with others named and authorized by the Parliament, who referred to their joint Determination ſeveral Matters of the higheſt Importance (*a*), ſuch as the Marriage of the King, the Lady *Mary* his Siſter, and his Brothers the Duke of *Albany* and Earl of *Marr*, *the Annual* of *Norway*, &c. Only they themſelves took upon them to ordain that no more (*b*) than a third Part of the King's Rents of Aſſiſe, that is, of his Lands and Cuſtoms, ſhould be aſſigned to the Queen for her Tierce or Dowry. Which laſt Act has occaſioned the learned *Hawthornden* (*c*) to think, that the Queen Mother was alive at this Time, contrary to what all other Authors aſſert; whereas it is plain, that it was made with a View to her that was to be Queen in purſuance of the King's intended Marriage: For it was neceſſary, for Reaſons I ſhall juſt now relate, that the King ſhould be married; but the Lord *Boyd* had Reaſons of his own to marry his Siſter before himſelf, and he prevailed with the King and his own Colleagues to get her beſtowed upon his eldeſt Son *Thomas Boyd*, a very accompliſhed Gentleman indeed, and who, the Father hoped, would raiſe his otherwiſe noble, opulent and ancient Family above the greateſt in the Nation. Indeed, had outward Appearances and courtly Favour been to be depended upon, he had reaſon (*d*): For beſides that his Son obtained the Iſle of *Arran*, and many other Lands with his Royal Bride, and, to render the Match more equal, was created Earl of *Arran*, he himſelf was now conſidered as the Fountain from whence all Honours and Preferments muſt flow. But ſuch is the Inſtability of humane

And the King's Siſter to be married into their Family.

A. D. 1467.

(*a*) Black Acts, f. 46. c. 11. (*b*) Ib. c. 3. (*c*) p. 120. (*d*) Crawf. Hiſt. of the Stew. p. 28.

mane Affairs, and ſo deceitful are the Smiles of, what the Vulgar call, Fortune, that what was conceived to be a laſting Foundation of the Greatneſs of that Houſe, proved the readieſt means of its Overthrow. The *Boyds* had their own Enemies before, whoſe Number did not diminiſh upon this ſudden Acceſſion of Honour and Wealth to their Family. They and the *Kennedys* were at open Variance, and theſe laſt being incenſed by the Male-treatment themſelves had received, and jealous of a Power ſo prejudicial to their own, did all they could to leſſen them in the Opinion of the publick: They exclaimed againſt the Match as mean and ſcandalous: "For, "ſaid they, the Intereſt as well as Honour of Nations depend "very much upon the Alliances made by their Sovereigns, and a "Royal Family is Royal by nothing more, than the Princely Blood "that runs in their Veins; that to mix that Blood with the Blood "of Subjects, is to ſtain the one and to corrupt the other: For Sub-"jects when ſo near to the Throne are apt to think themſelves upon "a Level with it; from whence Licentiouſneſs, Oppreſſion, Ava-"rice, Ambition, and often Rebellion, take their Riſe; and the "Throne, inſtead of being ſupported, as it ought to be, by the "Affinity of neighbouring Potentates, is in Danger of being un-"dermined by the Cravings, or ſhaken by the Inſults of do-"meſtick Relations. They could not but own, that many of the "Nobility of *Scotland*, as well as of other Kingdoms, had married "the Daughters of Kings, but they ſaid, that in that, their Kings "had been injurious to themſelves and to the Nation in general; "that the Children or Grand-children of theſe Noblemen were ſo "far from being, as they ought upon that very Account to have "been, the more dutiful and obedient Subjects, that on the con-"trary they had generally proved the moſt ſtubborn Rebels. Wit-"neſs the late Earls of *Douglas*, the Earl of *March*, and Lords of "the *Iſles*, that ſometimes the Kings of *Scotland* had no other "means to reward the ſignal Services of ſome eminent Patriots, "than by preferring them to the Beds of Princeſſes of the Blood. "That the ſame Lady *Mary* had been promiſed to the eldeſt Son "of the Lord *Hamilton*, as a Reward for the unbloody but de-"ciſive Victory which he had procured to her Father; and that "if ſhe, who had afterwards been contracted to a Prince of *Wales*, "and might have been, as her Aunts were, a Queen of *France*, "Arch-Dutcheſs of *Auſtria*, or Dutcheſs of *Britany*, was to be be-"ſtowed upon a Subject, the Lord *Hamilton* ought ſtill to be the "Man". Theſe or the like Diſcourſes (*a*) being aggravated by ſome great and publick Miſcarriages, with which the *Boyds* were perhaps more induſtriouſly than deſervedly charged, made way for the Diſgrace that afterwards attended them. But before I proceed, I muſt do them the Juſtice to acquaint my Reader with a very notable, and in its happy Conſequences, ſtill laſting Piece

(*a*) Buchan. p. 417. Ferrer. f. 386, 387.

of Service, which they did to the Crown and Kingdom.

Annual of *Norway* what it was.

I have already ſaid that the laſt Parliament had a Marriage in their View for the King, and that they expreſt a Concern about *the Annual* of *Norway*. Theſe were Matters of very great Importance, upon which I ſhall take the Freedom to enlarge, and I hope the Digreſſion which I muſt make for that Purpoſe, will not be thought impertinent or uſeleſs; the rather, becauſe no *Scots* Author has as yet given any tolerable Account of that Part of our Hiſtory. By what Means all or moſt of the Iſlands belonging to the ancient Kingdom of *Scotland* were torn from it, in or ſoon after the Reign of *Malcolm Canmore*, who died *Anno* 1093, I have related at large in the firſt Volume of this Work (*a*); I have alſo told by what Means (*b*) and upon what Terms (*c*) the Weſtern or out-Iſles commonly called *Ebudæ*, and the Iſland of *Man* were recovered in 1266, by *Alexander* III. King of *Scotland* from *Magnus* IV. King of *Norway*. The ſame Treaty was ratified by their Succeſſors twice, firſt in the Year 1312 (*d*), by *Robert* I. and *Haquin* V. and long after, *viz.* in 1426 (*e*) by King *James* I. of *Scotland* and *Erick* of *Pomerania*, King of *Norway*, *Denmark* and *Swedland*, the Conditions being ſtill the ſame; and one of them was, that as an Equivalent for the Renunciation of theſe Iſlands made by the Kings of *Norway* to thoſe of *Scotland*, theſe laſt ſhould pay to the former a yearly Penſion of 100 Merks in all Times coming, and this Penſion which ſhould have been paid every Year during the *Octave* of the Feaſt of St. *John* Baptiſt, in the Cathedral Church of St. *Magnus* at *Kirkwall*, was called *the Annual of Norway*. There was another Clauſe in the Treaty, by which the Kings of *Norway* reſerved to themſelves the Property and Dominion of the more Northern Iſles of *Orkney* and *Shetland*, which they governed as a Part of their own Kingdom by *Norvegian* Laws, and into which they introduced the *Norvegian* Dialect, which to this Day is known and ſpoken by ſome of the Inhabitants. Nor do I find that the Kings of *Scotland* did ever, after this Treaty had been firſt agreed to, offer to revive their Claim to theſe Parts, tho it were no hard Task to demonſtrate from many Monuments of Antiquity, and from the Teſtimony even of *Roman* Authors, that they were conſidered as *Britiſh* Iſlands by *Julius Agricola*, who is ſaid by *Tacitus* to have been the firſt of the *Romans*, who diſcovered and ſubdued them about the Year of our Lord LXXXI. and that the *ultima Thule*, probably *Shetland*, was in the Days of *Honorius* and *Stilicho* inhabited by the *Picts*, in whoſe Right the *Scots* came afterwards to poſſeſs them. All this may be gathered, not only from *Tacitus*, but from the following Verſes of *Juvenal* and *Claudian*:

Iſles of *Orkney* and *Shetland*, of old a Part of *Scotland* or *Pictland*.

. . . . . *Arma quidem ultra*
Littora Juvernæ *promovimus*, *& modo captas*
Orcadas, *ac minima contentos nocte* Britannos: And

(*a*) p. 231, 318, 319, &c. (*b*) p. 315, 316, &c. (*c*) Ib. p. 324, 325. (*d*) Ib. p. 607. (*e*) Vid. exempl. tranſact. de Habud. & Mann. apud Torfæum, p. 198, 199, &c.

And . . . *Incaluit* Pictorum *ſanguine* Thule,
Scotorum *cumulos flevit glacialis* Ierne.

The *Picts* were then in *Shetland*, and the *Scots* upon the Continent in *Strathern*, for I have elſewhere ſhewed (*a*), that *Ierne* in this place can by no means ſignify *Ireland*, and have alſo explained the Meaning of what the ſame Author ſays of the *Saxons*, *viz.* that

. . . . . *Maducrunt* Saxone *fuſo*
Orcades. . . . . .

But ſhould it be granted, that the *Saxons* (and this is perhaps the firſt time that we hear of their Name,) did then inhabit the Iſlands of *Orkney*, it does not follow but that they held them of the *Picts* or *Scots*, in Conjunction with whom they fought againſt *Stilicho* the *Roman* General, or his Lieutenants: Beſides, the *Saxons* and *Norvegians* were not the ſame People, and if the *Picts* or *Scots* poſſeſt theſe Iſlands, as by their very Situation and Vicinity to *Pictland* or *Scotland*, it appears they did, before the *Norvegians* and *Danes*, who many Years afterwards uſurped not only them, but alſo the *Ebudæ*, a great part of *Ireland*, and all *England*; it is plain that the Kings of *Scotland* had very good Reaſon to endeavour their Recovery; and that they did it from time to time, before the Concluſion of the Treaty between *Alexander* III. and *Magnus* IV. *Torfæus* himſelf does not deny: Nay, he is poſitive (*b*), that about the Year 1230, *Alan* Lord of *Galloway* (who was Conſtable of *Scotland* at the time,) after having expelled *Olafe* the King of *Man*, out of his tributary Dominions, threatned no leſs than the Conqueſt of *Norway* it ſelf; but, as I ſaid before, I nowhere read that after that Time, till within theſe 300 Years, the Kings of *Scotland* did renew their Claim to the Iſlands of *Orkney* or *Shetland*. Perhaps they would not, by reaſon of the Treaty, in which they fairly acquieſced; and it may be that they could not, becauſe of the continual Wars, in which they were engaged with *England*, and the frequent Diſturbances which they received from the Lords of the *Ebudæ*. And the Kings of *Norway* were ſo far from having any Fears or Jealouſies of thoſe of *Scotland*, that for the moſt part they imployed *Scotſmen* to govern theſe Parts. One of the Reaſons, I believe, that induced them to do ſo, was, becauſe *Scotſmen* were thought fitteſt to protect them from the frequent Irruptions and piratical Depredations which the wilder Highlanders from the Continent, or Iſlanders from the *Ebudæ*, were wont to make in looſe and troubleſome Times. Thus I find, that in 1370, King *David* II. (*c*) did all he could to reſtrain theſe Enormities of his Subjects by a Proclamation forbidding upon pain of Death, any of them (except Merchants) to reſort to theſe Iſlands at that Time ſo miſerably waſted and de-

(*a*) Vol. I. p. 92. (*b*) Hiſt. Orcad. p. 161. (*c*) Ib. p. 174.

populated by former Inſults, that they were become ſo many Deſarts: And it is obſervable, that the Year before, *Henry Sinclair* Baron of *Roſlin*, had been made Governor of them, who, in 1379, was not only confirmed in his Government, but alſo made Earl of *Orkney* by *Haquin* King of *Norway* and *Swedland*; an Honour ſo much the greater, becauſe (*a*) in 1308, *Haco* V. had abrogated the Titles both of Earl and Baron, and declared none within his Kingdom of *Norway*, to be capable of receiving them, but the Children of Kings, and Earls of *Orkney*. This double Preferment was not to be obtained without Conditions, and therefore (*b*) *Henry Sinclair* Earl of *Orkney* and Lord of *Roſlin* acknowledged himſelf to have taken an Oath of Allegiance, and paid Homage to his moſt clement Lord *Haquin* King of *Norway* and *Swedland*, and to be obliged; "1*ſt*. To be ready to ſerve the ſaid King, his Heirs and "Succeſſors, with 100 good Men well armed, as often as he "ſhould be required upon three Months Advertiſement, provided that the King would maintain them at his own Charges, as "ſoon as they ſhould come to his Preſence. 2*ly*. To defend "the Iſles of *Orkney* and *Shetland*, in caſe of their being attacked by any foreign Power, not only with all the Forces that "could be raiſed within theſe Iſlands, but alſo with the whole "Strength of his other Friends and Servants, whoſe Aſſiſtance he "alſo promiſed to afford, in caſe the King of *Norway* ſhould think "fit to attack any foreign State or Kingdom. 3*ly*. Not to impignorate or alienate any Part of the ſaids Iſlands, nor to build "Caſtles or Fortreſſes within them, without the expreſs Conſent of the ſaid King. 4*ly*. To protect and maintain the Inhabitants thereof in all their juſt Rights, Laws and Liberties. "5*ly*. To be ſubject to the Laws of *Norway*, and to attend upon "the Perſon of the ſaid King when required, either to give him "Counſel in General Aſſemblies, or to aſſiſt him in his Wars. "6*ly*. To enter into no private Compact or Bond with the Biſhop of *Orkney*, without Conſent of the King, and to be aſſiſting to the King in Oppoſition to the Biſhop, if need be. 7*ly*. "To reſign the ſaid Earldom and Government into the Hands of the ſaid King and his Heirs, in caſe the ſaid Earl of *Orkney* "ſhould chance to die without Heirs Male of his own Body, "and that his Children, tho Heirs Male, ſhould not enter upon "the Succeſſion without the Conſent and good Will of the ſaid "King. 8*ly*. To pay to the ſaid King in *Tunisberg*, at the "Feaſt of *Martinmaſs* next, the Sum of 1000 Nobles of Gold "*Engliſh* Money. *Laſtly*, To prevail with his Couſins *Maliſius Sperre*, and *Alexander* de *Leard*, to give up all their "Pretenſions to the ſaid Earldom and Iſles." And that this Obligation which was drawn up at *Marſtrand*, on the ſecond Day of *Auguſt* 1379, might not be eluded, *William* Biſhop of St. *Andrews*,

Baron of *Roſlin* made Earl and Governor of *Orkney* upon what Conditions.

(*a*) Ib. p. 172. (*b*) Chart. apud Torfæum, p. 175, 176, &c.

Andrews, *Walter* Biſhop of *Glaſgow*, *William* Earl of *Douglas*, *George* Earl of *March*, *Patrick* de *Hepburn*, *Alexander* de *Haliburton*, *George* de *Abernethy*, *William* de *Ramſay*, *Robert* de *Dalziel*, and *John* de *Edmondſton* Knights, became Cauticners for the Earl of *Orkney*, who altogether conſented that Sir *William Donald*, (perhaps *Mackdonald*) *Maliſius Sperre*, *David Crichton* and ſome others, ſhould remain in *Norway*, not as Cautioners only, but alſo as Hoſtages, till the Tranſaction ſhould be completed, as it was no doubt long before the Year 1388, when (*a*) *Henry Sinclair* as Earl of *Orkney* next to the Archbiſhop, and before all the other Biſhops and Senators of the Kingdom, ſubſcribed to a Recognition of *Erick* of *Pomerania*, whom they unanimouſly owned to be the lawful Heir of the Kingdom of *Norway*. The next Year the ſame Recognition was made in a Convention of the Eſtates, where he alſo was preſent. But in 1391 he killed *Maliſius Sperre* and ſeven others in *Shetland*, for which it is probable that he was forfeited, at leaſt that he loſt the Government of *Orkney*; for I find that his Succeſſor *John Sinclair* paid Homage to the ſame King *Erick* in 1418, only for *Shetland*, and that in 1422 *Thomas* Biſhop of *Orkney* was made Governor thereof: But he was ſucceeded the very next Year by *David Meyner* (or *Menzies*) of *Weem* (de *Wimo*) a *Scots* Gentleman, who obliged himſelf to govern theſe Iſlands with Juſtice and Honeſty, under his moſt clement Lord and Lady *Erick* and *Philippa* King and Queen of *Denmark*, *Swedland* and *Norway*. His Cautioners were the above-mentioned *Thomas* de *Tholach* Biſhop of *Orkney*, and *Walter Frazer*. Much about this Time King *James* I. of *Scotland* being freed from his long and unjuſt Captivity in *England*, King *Erick* ſent Ambaſſadors to him, with Orders to congratulate him upon that Occaſion, as alſo to crave the *Annual of Norway*, which for a long Time before (how long I know not) had not been paid. King *James*, as he was a very wiſe Prince, thought fit to give ſome Satisfaction to King *Erick* in that Matter; and accordingly by his Commiſſion dated at *Edinburgh* (*b*) the 8th *May* 1426, he appointed Sir *William Crichton* of *Crichton* his Chamberlain, Mr. *William Fowlis* Provoſt of the Collegiate Church of *Bothwel* his Almoner, and *Thomas* de *Cranſton* his Shield-bearer, to go with the Character of Ambaſſadors to the Court of his moſt dear Couſin *Erick* King of *Denmark*, *Swedland* and *Norway*, and Duke of *Pomerania*, with Orders to compoſe all Differences and Occaſions of Diſcords between themſelves and their reſpective Dominions. Theſe Ambaſſadors had all the Succeſs in their Negotiation that could be wiſhed for; the Arrears due to the Crown of *Norway* were remitted, and the Treaty was renewed at *Berghen* in *Norway* (*c*) on the 10th of *July*, in the very ſame Terms on which it had been concluded of old by *Alexander* III. and *Magnus* IV. and confirmed by *Robert* I. and *Haquin* V. ſo that the Kings of *Scotland* remained

David Menzies of Weem made Governor of Orkney in Place of the Sinclairs.

The Annual of Norway craved from King James I.

(*a*) Torfæus, p. 177, 178, 179, &c. (*b*) Chart. apud Torfæum, p. 204, 205. (*c*) Ib. p. 198, 199, &c.

in the peaceable Poſſeſſion of the *Ebudæ*, but were bound to pay the annual Penſion of 100 Merks to the Crown of *Norway*, as they did, or ought to have done before. The good Correſpondence that enſued upon the finiſhing of this Treaty between the two Kings, made way for the Reſtoration of the Earls of *Orkney* to the Government and Poſſeſſion of thoſe Iſlands, ſo that in 1434 (a) *William Sinclair* got the Inveſtiture of the Earldom from King *Erick*, to whom he paid Homage, ſwore Fealty, and undertook to govern the Iſlands upon the very ſame Conditions to which his Grandfather *Henry* had formerly agreed, obliging himſelf to ſurrender a Fortreſs which his Grandfather had built at *Kirkwall*, it ſeems, without the King of *Norway's* Conſent to the preſent King *Erick* or his Heirs. He alſo found Cautioners, and gave Hoſtages for the King's farther Security. The Cautioners were *Henry* Biſhop of *Aberdeen*, *Robert* Biſhop of *Caithneſs*, *Archbald* Earl of *Douglas*, *William* Earl of *Angus*, *George* Earl of *March*, *William Cork* and *Alexander Ramſay* Knights, *John Sinclair* and *Andrew Keith* Eſquires. The Hoſtages were *Thomas Sinclair*, *David Mundtore*, *Alan Beton*, *Alexander Brown*, *Robert Beny* and *John Harold* Eſquires.

The *Sinclairs* reſtored to the Earldom of *Orkney*.

This *William Sinclair*, being thus repoſſeſt of that noble Inheritance, obtained an Order from King *Erick* to *Thomas* Biſhop of *Orkney* and others of the Clergy, commanding them to inſpect the Archives or Records of the Country, and from them to give an Account of the Earl's hereditary Right to the Government of it. Accordingly they met and deduced his Right from *Maliſius* Earl of *Strathern*, *Caithneſs* and *Orkney*, whoſe Daughter was married to *William Sinclair* the Father of *Henry*; and that of *Maliſius* from *Turfinus* Earl of *Caithneſs*, by Donation from *Malcolm* a King of *Scotland*, whoſe Grandchild he was by his Mother, and Earl of *Orkney*, becauſe lineally deſcended from *Rognaldus* the firſt Earl of *Orkney*, who aſſiſted *Harald* the firſt King of *Norway* to conquer thoſe Iſlands then called *Pechtland*, from the Nation of the *Picts*, by whom they were inhabited: A Proof, I take it, of what I have aſſerted, *viz.* that the Iſlands of *Orkney* and *Shetland* did originally belong to the *Picts*, and by Conſequence were or ought to have been a Part of the Kingdom of *Scotland*. The Biſhop and his Clergy ſeem to differ from *Torfæus* in ſome things concerning *Henry* the firſt of the *Sinclairs*, who, in Right of his Mother, obtained the Earldom and Government of thoſe Iſlands; for, they ſay, that inſtead of his having unjuſtly killed ſome of the Inhabitants, he himſelf was ſlain by his Enemies in the Defence of the Country, and that upon his Death the Earldom returned to his Mother who outlived his Son, and dying left it to Earl *William* his Grandſon. They add, that the Earldom of *Caithneſs* was ſold by *Alexander* de *Ard*, the Son of another Daughter of Earl *Maliſius* to *Robert* I. King of *Scotland*; ſo that the *Sinclairs*, tho Earls of *Orkney*, were not

Their Title to it aſſerted.

(a) Ib. p. 181.

not likewiſe Earls of *Caithneſs*, till King *James* II. gave this laſt Title to this Earl *William* in Compenſation of his Claim to the Lordſhip of *Nidſdale*. Doctor *Wallace* has inſerted the above Declaration of the Biſhop and Clergy of *Orkney* in his Deſcription of the Iſlands of *Orkney* (*a*), which to me is a little ſurpriſing, becauſe that Record which I have juſt now by me in Manuſcript, and which appears to be genuine from the concurring Accounts given by *Torfæus*, is a full Confutation of ſeveral very great Miſtakes into which the Doctor has fallen, as when he ſays, "That (*b*) "*Magnus* King of *Norway* gave up to *Alexander* III. King of "*Scotland*, all the Right that he could pretend to the Iſles of "*Orkney* and *Shetland*; that (*c*) *Orkney* being in this manner re"covered from the Hands of the *Danes* and *Norvegians*, it con"tinued ever after annexed to the Crown of *Scotland*; that King "*Alexander* gave the Property of it to a Nobleman ſirnamed "*Speire*; that *Elizabeth Speire* the Daughter of *Magnus Speire* "Earl of *Caithneſs*, *Orkney* and *Zetland*, was married to Sir *Wil*"*liam Sinclair*, and that her Son, called alſo *William*, was made "Earl of *Orkney* and *Zetland* by King *David Bruce*." Of all which there is not one Word true. But to return to the Hiſtory.

While Earl *William* governed *Orkney*, *Chriſtian* I. ſucceeded to the Northern Crowns (*d*), and as King of *Norway* wrote to *James* II. King of *Scotland*, complaining that the yearly Penſion due by the Crown of *Scotland* for the Iſland of *Man* and the *Æbudæ*, had not been paid during the Space of 26 Years bypaſt, and craving the Sum of 43000 Merks, to which, by his Computation, the Arrears and Penalty did amount. He ended his Letter with ſome Menaces in caſe of a Refuſal; and indeed it appears that Hoſtilities were actually committed. But *Chriſtian*, as powerful a Prince as he was, had no mind to engage himſelf in a War with *Scotland*. He therefore made his Applications to *Charles* King of *France*, who being a Confederate both of *Scotland* and *Denmark*, he hoped would take upon him to decide the Controverſy. Accordingly King *Charles* appointed a friendly Meeting of the *Scots* and *Daniſh*, or *Norvegian* Ambaſſadors, to be held at *Paris* in 1457; but before the Time fixed for that Congreſs, *Chriſtian* was adviſed that a Body of *Scots* had landed in one of his Iſlands of *Orkney*, where they ſeized upon a Rich Ship belonging to his Subjects, which they carried away, together with the whole Crew and one *Biorn* his Governor of *Iſland*. Upon this Intelligence he wrote to the King of *France* ſignifying that he could not ſend his Ambaſſadors to the Congreſs appointed, till he ſhould firſt know whether he was to meet with the *Scots* as Friends or Enemies; and craving that Reparation might be made for the late Injury done to the Governor of *Iſland*. King *Charles* made Anſwer, That he very well knew the *Scots* would keep the Appointment, in order to an Accommodation.

The Annual of *Norway* craved from King *James* II.

(*a*) Edit. Lond. An. 1700. (*b*) p. 117. (*c*) p. 118. (*d*) Torfæus, p. 183, 184, 185, &c.

modation. In 1460 the *Daniſh* Ambaſſadors, *Canute* Biſhop of *Viburgen* and Mr. *Daniel Kiepkend* a Chanon, and Chancellor of *Denmark*, attended the King of *France* at *Bourges* in *France*, where alſo appeared *John* de *Monizon* Seigneur de *Congreſſault*, and *Fuliard* a Captain of the *Scots* Guards, as Ambaſſadors for the King of *Scotland*. Theſe laſt deſired that the Original Treaty between the Kings of *Scotland* and *Norway*, of which the former had but a Copy, might be produced. The *Daniſh* Ambaſſadors urged that their Copy was ſufficient, and if the *Scots* thought otherwiſe, they might ſhow their own Duplicate of the Agreement. The *Scots* ſaid, that it was in the Hands of the Biſhop of St. *Andrews*, who being on his Road to the *French* Court, had fallen Sick at *Bruges* in *Flanders*. The King of *France* told them both, that without ſeeing the Original Contract, which ought to have been tranſmitted either from *Scotland* or *Denmark*, he could not pretend to give his Opinion upon the Matter; but that he thought the Controverſy might be taken away in the manner he had already propoſed by his Letters to both the Kings his Allies, that is, by a Marriage between the Prince of *Scotland* and *Margaret* the Daughter of King *Chriſtian*. The *Scots* Ambaſſadors liked the Propoſal very well, but moved that the Annual of *Norway* might be remitted for ever, and that the Iſlands of *Orkney* and *Shetland* might alſo be yielded to the Crown of *Scotland*, in lieu of a Portion with the Royal Bride; deſiring likewiſe, that towards ſupplying her with Cloaths, Jewels and ſuch other Ornaments as became her Quality, the King of *Denmark* would advance the Sum of 100000 Crowns. In return to all which, they ſaid the King their Maſter would ſettle ſuch a Jointure upon her as ſhould be agreeable to the King her Father. The *Daniſh* Ambaſſadors replied, That they had no Inſtructions concerning ſuch a Match, but that they ſhould acquaint their Maſter with the Overture that had been made. In the mean time, News came from *Scotland* of King *James* II's Death; upon which the King of *France* and all his Counſellors, as well as the foreign Ambaſſadors who were then at his Court, namely the Cardinal of St. *Euſebius*, the Biſhop of *Conſtance*, *Andrew* de *Laval* Marſhal of *France*, the Earl of *Malurier*, the Chancellor, *&c.* unanimouſly declared, that in their Opinion the Marriage was adviſable, and that till it could be concluded, a Truce between the two Kingdoms was neceſſary.

Propoſals of a Match between the King of *Scotland* and a Daughter of *Denmark*.

Thus we ſee that the *Daniſh* Match had been long in the View both of *Scots* and Foreigners; but nothing was done in it till A.D. 1468. this Year 1468, when King *James* III. whoſe Life I now write, being then about 14 Years of Age, and having been very much importuned ſince his Acceſſion to the Throne, by the preſſing Inſtances of the King of *Denmark*, to make Payment of the *Annual of Norway*, returned this Anſwer to a Letter which he had lately

received

received to the ſame Purpoſe. " That he deſired nothing more " than to cultivate a ſecure and laſting Peace with his *Daniſh* " Majeſty, both their Predeceſſors having always kept a friendly " Correſpondence, to the great Increaſe of the Trade and Wealth " of their reſpective Subjects. That as for the Penſion mention- " ed in his Majeſty's Letter, he knew nothing of it, being as yet " by Reaſon of his Nonage unacquainted with many Things he " was now to enquire into, and that his Ignorance in that re- " ſpect was the more excuſable, becauſe the Penſion had not " been paid either by his Father or Grandfather. That however, " he was reſolved to ſend an Embaſſy, as ſoon as he poſſibly " could, into *Denmark*, in order to adjuſt and determine all Mat- " ters in Debate, and to propoſe ſuch Things, as he hoped, would " be the Foundation of an unalterable Friendſhip between them". He was as good as his Word. For, (*a*)

He granted a plenipotentiary Power and Commiſſion, dated at *Edinburgh* the 28th of *July*, to *Andrew* Biſhop of *Glaſgow*, *William* Biſhop of *Orkney*, *Andrew* Lord *Evandale* his Chancellor, *Thomas Boyd* Earl of *Arran* his Couſins and Counſellors, Mr. *Martin Wan* his Almoner and Confeſſor, *Gilbert* de *Rerich* Archdean of *Glaſgow*, *David Crichton* of *Cranſton*, and *John Schaw* of *Haly* his Armour-bearers, with Orders to viſit the Empire, or *Germany*, the Kingdoms of *France*, *England*, *Spain* and *Denmark*, the Dukedoms of *Burgundy*, *Britany* and *Savoy*, and ſuch other Countries, in which they had Reaſon to think that a noble Perſon fit to be his Wife, might, with the Conſent of her illuſtrious Parents, be obtained. But this Commiſſion being too general, and deſigned more for Pomp and Shew, than that he really meant to ſend Ambaſſadors to ſo many different Countries, he gave them another of the ſame Date, commanding them to repair to the Court of King *Chriſtiern*, and there to treat of a Match between himſelf and *Margaret* the only Daughter of that *Monarch*. A proſperous Gale carried them quickly to *Copenhagen* the capital City of *Denmark*, where on the 8th of *September* the Marriage was agreed to upon the following Terms. 1*ſt*, " That the Annual of *Norway* ſhould be forever remitted and ex- " tinguiſhed. 2*dly*, That King *Chreſtiern* ſhould give 60000 Flo- " rins of Gold for his Daughter's Portion, whereof 10000 ſhould " be paid before her Departure from *Denmark*, and that the " Iſlands of *Orkney* ſhould be made over to the Crown of *Scotland* " by way of Pledge for Security of the Remainder, with this " expreſs *Proviſo*, that they ſhould return to that of *Norway* after " complete Payment of the whole Sum. 3*ly*, That King *James* " ſhould, in caſe of his dying before the ſaid *Margaret* his Spouſe, " leave her in Poſſeſſion of the Palace of *Linlithgow* and Caſtle " of *Down* in *Menteith* with all their Appurtenances, and the third " Part of the ordinary Revenues of the Crown to be enjoyed by

The Match agreed to, and upon what Terms.

The Annual of *Norway* extinguiſhed.

The Iſlands of *Orkney* impignorated to the Crown of *Scotland*.

Kkkkk her

(*a*) Vid. exemplum Commiſſ. & Pacti apud Torfæum, p. 192, 193, &c.

" her during Life, in caſe ſhe ſhould chuſe to reſide in *Scotland*.
" But, 4*ly*, If ſhe rather inclined to return to *Denmark*, that in
" Lieu of the ſaid Liferent, Palace and Caſtle, ſhe ſhould accept
" of 120000 Florins of the *Rhine*, from which Sum the 50000
" due for the Remainder of her Portion being deduced and al-
" lowed, the Iſlands of *Orkney* ſhould be reannexed to the Crown
" of *Norway*, as before. 5*ly*, That ſhe ſhould in no Caſe or Event
" be allowed to marry an *Engliſhman*, or any Subject within the
" Juriſdiction of *England*.

In this Manner was that important Affair tranſacted to the great Satisfaction of both Courts; but the Seaſon of the Year being too far advanced, and the Seas already congealed by the Rigour of that Northern Climate, it was not poſſible to waft over the
A. D. 1469. Royal Bride to her Husband's Embraces, till the next Year 1469; when, at the Deſire of the *Daniſh* King, another Tranſaction was completed. That Prince was then engaged in a War with the *Swedes*, even then a brave and warlike Nation, who rejecting what they thought a diſhonourable and hurtful Union with their old Enemies and new Maſters the *Danes*, ſtruggled hard for the Recovery of their decayed Liberties and ancient Luſtre. To ſuppreſs them King *Chriſtiern* ſtood in need of Money, and could not conveniently pay the 10000 Florins then due, as the firſt Moiety of his Daughter's Portion: He therefore (*a*) entreated that the *Scots* would content themſelves with 2000, and offered the Iſlands of *Shetland* to be held of the Crown of *Scotland*, as thoſe of *Orkney*, by
As alſo thoſe of *Shetland*. way of Pledge, till the remaining 8000 ſhould be paid. The *Scots* were not unwilling to gratify their new Ally in that particular, and ſo the Iſlands of *Shetland* were made over to their Maſter, with the Reſervations above-mentioned at *Copenhagen* the 10th of *May* 1469. *Scots* Authors (*b*) ſay, at leaſt inſinuate, that theſe Reſervations were taken away upon the Birth of King *James* IV. and that the King of *Denmark*, deſirous to expreſs his paternal Affection both to his Daughter and Grandchild, by an authentick Deed gave up all the Claim and Right he or his Predeceſſors Kings of *Norway*, had to all or any of theſe Iſlands: Which if it be true, *Orkney* and *Shetland* are as unqueſtionably a Part of *Scotland*, as *Man* was before the *Engliſh* uſurped it, or as the *Æbudæ* ſtill continue to be. But I wiſh they had taken a little more Pains to inſpect the Records, among which, *Ferrerius* tells us, that he hears the original Charter of Renunciation was preſerved, whereas he is poſitive (*c*) with reſpect to the Contract of Marriage, and muſt needs have peruſed it, as appears from the Dates of theſe Writs cited and referred to by him, which being the very ſame I have ſet down as I found them in *Torfæus*, is an undoubted Proof that both he and *Torfæus* ſpeak Truth. As for *Buchanan*, he ſeldom or never looked into any Record at all, and ſays no more upon the Subject,

(*a*) Torf. p. 188, 189, &c. (*b*) Buchan. p. 418. Ferrer. f. 359. (*c*) f. 388.

Subject, but that there are who write that the King of *Denmark* made over in favour of his Grandchild all his Right to the Iſlands in Debate. I ſay in Debate, becauſe the *Norwegian* Hiſtoriographer contends that they are yet redeemable; with how much Reaſon, I ſhall (God willing) enquire when I come to write the Life of *James* VI. who, to put an End to that Controverſy, went over to *Denmark* in Perſon, and married *Anne* Daughter of *Frederick* II. King of *Denmark* and *Norway*.

Margaret Princeſs of *Denmark* arrives at *Leith*, and married with the King.

Queen *Margaret* arrived at *Leith* in the Month of *July*, and was received, married and crowned with all the Solemnity, Magnificence and Affection that could be expreſt by an amorous young Prince deſervedly charmed with the conquering Graces of one of the greateſt Beauties (*a*) of that Age; and yet her Beauty and blooming Youth were the leaſt valuable of her Qualifications. Her behaviour was ſuch as commanded Reſpect and taught Modeſty, a Vertue which for ſome time before ſeemed to have been baniſhed from Court. With herſelf ſhe gave her Heart and Affections ſo entirely to the King her Husband, that ſhe may well be ranked among thoſe who have been moſt remarkably famous for conjugal Duty. She did not forget that ſhe was born in *Denmark*, but preferred *Scotland* to her Native Soil, and the Honour of being a *Scots* Queen to that of being a Daughter of a Monarch adorned with a treble Crown. In fine, her Piety was ſo eminent, that her Life and Converſation were Patterns, not only to the Ladies at Court, but to Virgins ſhut up in Cloyſters, and by the moſt ſolemn Vows and indiſpenſable Obligations dedicated to the Service of God. The very Sight of ſuch a Queen could not but endear her to all ranks of People, who, to congratulate her happy Arrival, and to create in her a good Opinion of themſelves and the Country, entertained her and her princely Train for many Days with ſuch variety of Shews, and ſuch delicious and coſtly Feaſts, that *Ferrerius* a Foreigner, who had ſeen all the Gallantry and Pomp of the Courts of *France* and *Savoy*, tells us, that no Pen can deſcribe them ſo much to the Advantage as they deſerve. A Proof, I take it, that the Court of *Scotland* was in thoſe Days one of the politeſt, and none of the moſt indigent in *Europe*. But while the Hearts of all others were dilated with Joy, thoſe of one Family (which, it was once thought, would have made the gayeſt and moſt glorious Figure upon ſuch an Occaſion) were overwhelmed with Grief, and ſunk almoſt to Deſpair.

Her excellent Qualifications.

The *Boyds* in Diſgrace.

The *Boyds* had been ſo far from being able to ſtand their Ground during the long abſence of the Earl of *Arran*, that on the contrary, their Enemies had prevailed with the King to conſider them as guilty of the higheſt Offences, and capable to contrive, reſolve and execute the worſt of Deſigns. With what Juſtice, I ſhall not take upon me to determine. If we may believe the

(*a*) Leſly, p. 303. Ferrer. f. 389.

Teſtimony of *Ferrerius* (*a*), who has waſted two long Pages in enumerating, or rather heightning their Crimes, they were no otherwiſe treated than as they deſerved: But *Buchanan* (*b*), and after him *Hawthornden*, tho they pretend not to vindicate the firſt unjuſtifiable Steps made by them, towards attaining to that Height of Power which they enjoyed for ſome Time, yet ſeem rather inclinable to impute their Fall to the Revenge and Malice of an adverſe Faction, than to their own Demerits. It is certain however, that before the Earl of *Arran*'s Return from *Denmark*, the King's Averſion to him, his Father and Uncle, was as publickly known, as his Love to the ſame Perſons had been before; for which Reaſon the Counteſs of *Arran* made haſte, as ſoon as the *Daniſh* Fleet anchored in the *Forth*, to go on board that Ship wherein the Earl her Husband was, and to acquaint him with the Danger he was in from the Infuſions which the King her Brother had received during his abſence. He was ſtunned with the grating News ſo much the more, becauſe he had flattered himſelf that the good Service done by him in *Denmark*, and the princely Favour of the Royal Bride on whom he attended, would have skreened him from Envy, conquered all Oppoſition, and fixed him for ever in the firſt Rank of Favourites. And now, whether he really feared ſome tragical Effect of the King's Indignation, or that he ſcorned to appear at Court, where he could not expect to meet with that Regard and Reſpect which all Men had formerly paid him, and he thought ſtill due to his Quality and Merit, he took a ſudden, and, as *Leſly* inſinuates, (*c*) raſh Reſolution to return from whence he came, without ſetting his Foot on Shore, or ſo much as applying to the King for Mercy. His Lady would needs accompany him, and being poſſeſt of ſuch a Pledge, he doubted not to find an after-Opportunity of returning with Honour and Safety. But he was miſtaken, for the King reſented his Conduct in that reſpect, more than any thing he had yet done, ſo that all Avenues to Reconciliation were henceforth entirely ſhut up, and the Ruine of that whole Family determined. To effect this in a legal way, a Parliament was called, and met accordingly at *Edinburgh*. Thither the three *Boyds* Father, Son and Brother were ſummoned to anſwer in Judgment to ſuch Accuſations as ſhould be exhibited againſt them. Upon this the Lord *Boyd* betook himſelf to Arms, at leaſt appeared with ſuch an Attendance of armed men, as obliged the Government to draw ſome Forces together for its own Defence; and the Match being ſo very unequal, the weaker Party thought fit to disband themſelves. Upon which the Parliament proceeded to give Sentence againſt the Perſons accuſed. It was pronounced on the 2d of *November* 1469, about three Months after the Arrival of the Queen, and Flight of the Earl of *Arran* (which I take notice of by the by, becauſe *Buchanan* and others

Unadviſed Reſolution of *Boyd* Earl of *Arran*.

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(*a*) F. 386, 387. (*b*) P. 418, 419. (*c*) P. 127, 128, &c. (*d*) Leſly, 303, 304.

unchronologically place this laſt Event before the other two) and was chiefly grounded upon a treaſonable Action indeed, the removing the King from *Linlithgow*, contrary to his declared Will, or rather contrary to an expreſs Act of Parliament, for the Law had no regard to his Will when under Age, as he was at the Time, but to that of the Eſtates his natural Guardians. It was anſwered for the *Boyds*, that that Crime had not only been remitted, but alſo declared good Service by a ſubſequent Act of Parliament, which I hear is ſtill extant, But, becauſe that Act had been obtained by the *Boyds* when in Power, and Maſters of the King's Perſon who was ſtill a Minor, from a Parliament packt (as might very well be alledged) for the Purpoſe, no regard was had to it. And ſo we ſee that what one Parliament had declared high Treaſon, another made lawful, nay meritorious; and that a third, regardleſs of the ſecond, ordered the Penalty enjoined by the firſt to be put in Execution: For Sir *Alexander Boyd* was beheaded, and the Lord *Robert* had undergone the ſame Fate, if he had not made his Eſcape into *England*, where nevertheleſs he did not long ſurvive his Misfortune, being ſoon after cut off by old Age and Grief at *Alnwick*. His Son the Earl of *Arran* withdrew, together with his Lady, from *Denmark*, at that Time a very unſafe Retreat for a *Scots* Refugee, into *France*, and prevailed with *Lewis* XI. to endeavour his Reconciliation with King *James*: But theſe faint Endeavours proving ineffectual, he offered his Service to *Charles* Duke of *Burgundy*, who, being engaged in a War with his rebellious Subjects of *Flanders*, received him graciouſly as a brave Man, and upon Trial, finding him to be ſuch, not only honoured and ſupported him during his Life, but alſo after his Death cauſed a noble Monument to be erected over his Body in one of the Churches of *Antwerp*, where he was with great Solemnity interred. So ſays *Buchanan*, and after him ſome others; but *Ferrerius*, leſs favourable to the Memory of that noble Perſon, gives a very different Account of the Remainder of his Life, adding that he had theſe Accounts from the Annals of *Scotland*. According to that Author he ſtaid ſome Years in *Denmark*, from thence went through *Germany* to *Venice*, from *Venice* to *Rome*, and from *Rome* to *Naples*, till at length, after having viſited the moſt celebrated Cities of *Italy*, he fixed at *Florence*, where having debauched a Citizen's Wife, he was ſet upon and killed by the Rage of her Husband. How to reconcile theſe differing Authors, I know not; but all agree, that while he was in exile, the King called Home his Lady after ſhe had born two Children to him, *James* and *Græcina*. The Lady was in Hopes, that her Obedience to the King her Brother would produce ſome good Effect with Reference to the Earl her Husband, but the quite contrary happened: For, as *Leſly* (*a*) has it, *After ſhe had been ſeparated from her abſent Husband, by Means of a*

Who flees from *Scotland*, and Dies. A.D. 1470.

Different Accounts concerning him.

AD. 1471.

(*a*) p. 304.

The Marriage of the Lord *Hamilton* with the King's Sister, and her Divorce from *Boyd* Earl of *Arran* fairly ſtated and examined.

Divorce, the King gave her in Marriage to the Lord Hamilton; *in Right of which Marriage,* adds he, *the Crown of* Scotland *devolves upon the Family of* Hamilton, *in Caſe* (*which God forbid*) *the Royal Race of the* Stewarts *ſhould chance to fail. Ferrerius* (*a*) gives the ſame Account in theſe Words. "The King, *ſays he*, recalled his Siſter, "who, contrary to Juſtice [*præter æquum*] had been conjoined to "*Thomas Boyd*, into *Scotland*; the Husband being abſent, he ſepa- "rated by a lawful Divorce [*legitimo repudio*] thoſe who he thought "had been illegally (for ſo I think the Word *inſolenter* muſt be "tranſlated) conjoined. He gave her afterwards in Marriage to "the Lord *Hamilton*, by which Means the Family of *Hamilton* "have Right to the Crown of *Scotland* next to that of the *Stewarts*. *Buchanan* (*b*) relates the Story in quite other Terms. According to him, "The Counteſs of *Arran* being prevailed upon to "come Home by the fallacious Hopes infuſed into her of her "Husband's Re-eſtabliſhment, ſhe was inſtantly deſired by the "King to part with him, and he was ſummoned to be at *Kil-* "*marnock* (the principal Mannor of his Family) within the Space "of 60 Days, when at the ſame Time it was notoriouſly known, "that he durſt ſcarcely return, tho he had been guarded by a ſafe "Conduct. Upon his not appearing at the appointed Time, the "former Marriage was declared unlawful, and a Divorce being "thus made, notwithſtanding the *Boyds* were abſent and unheard, "*Mary* the King's Siſter was compelled againſt her Will, to marry "*James Hamilton*, a Man lately raiſed [*homini prope novo*] and "much inferior to her former Husband in Eſtate and Dignity". This Account, tho obviouſly malicious, has ſo far impoſed even upon *Hawthornden* (*c*), as to make him believe that the Sentence of Divorce proceeded from the *Boyd*'s non-adherence to his Wife; the more unjuſtly, becauſe it was evident that he durſt not come to her, nor ſhe return to him. It has alſo perſwaded moſt, if not all after-Authors, that the Lady *Mary* was compelled againſt her Will to marry the Lord *Hamilton* during the Lifetime of her firſt Husband the Earl of *Arran*. I ſhall therefore with all imaginable Impartiality endeavour to clear this Part of our Hiſtory: And I muſt obſerve in the firſt Place, that it is not evident, either from the Words of *Leſly*, or thoſe of *Ferrerius*, that ſhe was married to *Hamilton* before the Death of *Boyd*; ſo that from what they ſay upon the Head, nothing can be concluded, but that the Divorce was legal, and that ſhe was afterwards [*poſtea*] married to *Hamilton*, it being no Matter, in their Opinion, whether her firſt Husband was dead or no. But that he was actually dead, we are aſſured by Mr. *John Bannantyne* Dean of *Murray*, in his Tranſlation of *Boethius*'s Hiſtory (*d*), where he poſitively aſſerts, that *after the Death of the Lord* Boyd, *the Daughter of* James II. *was married to the Lord* Hamilton, and that *by that Way the Houſe of* Hamilton *was decored with*

Buchanan confuted.

(*a*) f. 388. (*b*) p. 420. (*c*) p. 130. (*d*) f. 175.

with the Royal Blood. Holinſhed (*a*) ſays the very ſame Thing, and in the ſame Words; and every Body knows that *Bannantyne* was not only anterior to *Buchanan*, but alſo contemporary with the Lady *Mary* her ſelf. Now I leave it to the World to judge whether moſt Credit ought to be given to *Bannantyne*, who could not be ignorant of the Matter of Fact which he aſſerts, or to *Buchanan* who might not only be ignorant of it, but had evident Reaſons to diſparage a Family, by which the Intereſt of the Object of his hatred Queen *Mary*, was ſo eminently abetted, and that of his Benefactor the Earl of *Murray*, traverſed. Beſides it is owned by all hands, that the Marriage of the *Boyd* was diſſolved in 1471, if not before, and demonſtrable from the Contract of Marriage between the Lady *Mary* and *James* Lord *Hamilton* (*b*), that ſhe was not married to the latter till 1474; ſo that ſo little haſte being made towards the ſecond Marriage, it may reaſonably be ſuppoſed that the firſt was diſſolved by the Death of the *Boyd*, as well as by the Sentence of Divorce. But why did not *Ferrerius* and *Leſly*, as well as *Bannantyne*, tell us poſitively that the Earl of *Arran* was dead before the Lady *Mary* took a ſecond Husband? I have already hinted at the Reaſon: Theſe Authors did not think it neceſſary. The firſt Marriage had been legally diſſolved, and ſince it was ſo, they thought it a Matter of no Importance to enquire whether her firſt Husband was dead or not. They were *Roman* Catholicks, as all the Nation at that Time, and as ſuch ſubject to the Canon Law, the then Standard and Teſt by which the Legality of all Marriages was tried. The Marriage of the Lady *Mary* and *Boyd* having been enquired into by the Powers in Being, the Church as then eſtabliſhed by Law, and the State compoſed of King and Parliament, was found incapable to bear that Teſt, and was therefore declared void and null, that is, the Church and State legally conſtituted, did declare that the Earl of *Arran* and Lady *Mary* had never been married together, becauſe their Conjunction or Marriage was not conformable to the Canon Law; and if they had never been married, it is plain that after ſuch a Declaration both Parties were free, and at Liberty to marry whom they pleaſed, conſequently the Marriage of the Lady *Mary* and Lord *Hamilton* being canonically performed, would have been unexceptionable, and to all Intents and Purpoſes effectual, even altho it had been made (which, after what I have ſaid, cannot be reaſonably believed) during the Lifetime of the Earl of *Arran*. This was the Senſe and Practice of thoſe Times, and ſtill is of all Churches and States in Communion with the Church of *Rome*; tho, to ſay the Truth, more Care has been taken ſince the Promulgation of the Council of *Trent*, to prevent illegal Marriages and after-Divorces than was formerly. For it muſt be owned, and our Countryman *John Major* a Prieſt of the

(*a*) p. 248. (*b*) Charta penes Duc. de Hamilt.

Church of *Rome*, plainly tells us, that ſuch Divorces were ſcandalouſly frequent, and often abuſive. But from hence, I humbly conceive, it does not follow, that the Offspring of ſecond Marriages made in the manner I have related, muſt be conſidered as ſpurious. If it does, I dare venture to tell the Nobility and Gentry of my own and other Countries, that the beſt Blood they can boaſt of, is not ſo pure, nor their moſt valuable Charters ſo unqueſtionable, as they imagine. From all which I conclude, that whatever Abuſes might have been committed, with reſpect to Marriages and Divorces, in thoſe Days when the Canon Law was the Rule, and the eſtabliſhed Church and State the Judges, Poſterity ought to acquieſce in their Deciſions, and be very cautious how they call that unlawful, which all Men then living were by the known and unqueſtioned Law obliged to own as juſt and right. If the Judges were faulty, they have anſwered to God Almighty for it by this time; or if the Law itſelf was unjuſt, (which is a Queſtion I ſhall not offer to decide) there is no Remedy for that now: From that Law however, moſt of our civil and hereditary Rights are derived; and if in *Scotland* we preſume to give the deſpicable Appellation of Baſtards to the Poſterity of ſuch, who, after the legal Diſſolution of former Marriages, have proceedcd to marry a ſecond time, will not the Children of Proteſtants, who, being divorced from former Husbands or Wives upon the account of Adultery or Non-adherence, have likewiſe married during the Lifetime of thoſe from whom they were divorced, be treated with the ſame Contempt by Papiſts? And had ſuch Children an hereditary Right to their Parents Eſtates in a Popiſh Country, would not their Right ſeem equally queſtionable among them? For,

It is a received Maxim in the Church of *Rome*, that no Reaſon whatever, nay, not *Adultery* itſelf, much leſs *Non-adherence*, can be a ſufficient Ground for a Divorce, properly ſo taken, that is, for diſſolving a legal Marriage, and at the ſame time allowing either or both Parties to marry a ſecond time during the Life of the Perſon divorced. But, ſay they, if the former Marriage has been illegal, and found to be ſuch by the Teſt of the Canon Law, or even Municipal Statutes, as in *France* and *Poland*, then it muſt be ſuppoſed to have been no real Marriage; and ſince it never was a Marriage, both Parties are free, and may marry ſuch other Perſons as they affect. So that the Diſſolution of the Marriage between the Earl of *Arran* and the Lady *Mary* muſt have been founded upon ſome real or pretended Illegality, (what it was no Author relates,) and not at all upon the account of the Earl's *Non-adherence*, as *Buchanan* would inſinuate, and as *Hawthornden* poſitively ſays; or, if it was founded upon the Earl's Non-adherence, then it was not a Divorce properly ſo taken, and the Lady *Mary* could not, would not have been ſuffered to marry the Lord *Hamilton*,

till

till ſhe was very well aſſured of the Death of her former Husband. From thence it is plain, that thoſe Authors who moſt poſitively aſſert that the Earl was alive when the Lady *Mary* was compelled againſt her Will to take another Husband, tell the Story in ſuch a manner, as, if true, is inconſiſtent with their Aſſertion.

As for her being compelled againſt her Will to marry the Lord *Hamilton*, I can ſay nothing of it at this Diſtance of Time, but have already obſerved, both from *Boethius* and *John Major*, that ſhe had long before been promiſed to him by her Royal Father, and ſince ſhe took ſo many Years after the Diſſolution of her firſt Marriage, to adviſe whether ſhe would engage in the ſecond, I ſee no Reaſon to think that the ſecond was an Effect of Compulſion or Force: I am ſure at leaſt that the Lord *Hamilton* was neither an Upſtart, as *Buchanan* moſt unjuſtly calls him, nor inferior to her former Husband, either in Eſtate or Dignity. That he was no Upſtart is plain from the frequent and honourable Mention I have made of his Anceſtors the *Hamiltons* of *Cadzow*, and others of the Name, deſcended from that illuſtrious Stock, in all the Reigns poſterior to that of King *Robert* I. and I have never mentioned them without quoting authentick Records, that is, better Vouchers than *Buchanan*, or any Author whatſoever, but ſuch as are directed by them: Beſides, I have obſerved in the Life of King *Robert Bruce*, that at that Time the Lord high Chancellor of *England* was a *Hamilton*, and *Buchanan* himſelf (*a*) in the ſame Life calls that gallant *Engliſhman*, who out of Admiration of that heroick Prince, came to his Court, and courted the Honour of being his Subject, *homo nobilis*; which, if it be true, for what Reaſon he now comes to call that Gentleman's lineal Succeſſor, *homo prope novus*, no Body can tell. This is certain, that tho the Sirname or Family of the *Boyds*, was confeſſedly of longer Duration in *Scotland*, than that of the *Hamiltons*, which is originally *Engliſh*; yet there is no Manner of Reaſon for preferring the one to the other, preciſely upon that Account, and no other I am ſure can be ſhewed. But all Compariſons, eſpecially of this Kind, are odious; and there was at the Time ſuch an Equality between theſe noble Perſons and their Families, as leaves no Room for Exceptions againſt either, ſave that they being both Subjects, the Princeſs might have been more reaſonably beſtowed upon ſome Sovereign (and there were many ſuch at that Time) in the Parts beyond Seas. It was with this View, that ſhe had formerly been contracted to the Prince of *Wales*; and it may be that that Precontract was the Ground upon which her pretended Marriage (for ſo it muſt be called and conſtrued by Law) with the *Boyd*, came to be diſſolved; but the forward Ambition of the *Boyds* when in Power, made the Purſuit of any ſuch Deſign impracticable. Their Ambition coſt

(*a*) p. 271.

them dear, as I have related. Nor were the Children of the Lady *Mary*'s firſt Marriage, much more fortunate than their Father. His Son *James* was indeed reſtored by the King's Bounty (*a*) to the Dignity of Lord *Boyd*, and Lands of *Kilmarnock*, *Dalry*, *Kilbride*, *Nodſdale*, &c. in 1482, but had the Misfortune to be killed in a Fewd by the *Montgomeries* in 1487, leaving no Iſſue behind him. His Daughter, Lady *Græcina*, died alſo without Iſſue, tho' ſhe had been twice married, firſt to *Alexander* Lord *Forbes*, and afterwards to *David* firſt Earl of *Caſſils*. However, ſucceeding Generations ſaw the ſame Family revive in the Perſon of a *Boyd*; and it is at this Day repreſented by the Earl of *Kilmarnock*. Nor is it true that the Honours and Eſtate of *Thomas Boyd* Earl of *Arran*, were, together with his Wife, beſtowed upon the Lord *Hamilton*; for this laſt died on the 6th of *November* 1479, about five Years after his Marriage with the Lady *Mary*; and the Iſland of *Arran* and Title of Earl, which the *Boyd* had enjoyed, were not given to his Family till 1503, about 26 Years after (*b*), when King *James* IV. honoured his Son, called alſo *James*, with that Title, after he had given him the Iſland it ſelf, as a Gratification for ſome Services performed by him at the Court of *England*. And thus, I humbly conceive, this whole Matter, which has been ſo variouſly related by different Authors and differing Parties, is now ſo clear, that henceforth no reaſonable Man will think it a Subject of Debate, much leſs of Scandal or Reproach, as it has been ignorantly by ſome, and by others maliciouſly made againſt the firſt Peer now extant in *Scotland*, and, failing the lawful Iſſue of King *James* VI. (whom God preſerve) the unqueſtionable Heir of the *Scottiſh* Crown.

The Family of the *Boyds* being now not only out of Favour and Power, but alſo in a great Meaſure ruined, all they of the adverſe Faction thought themſelves ſure to prevail, and *James Graham*, who had been ſo violently perſecuted by them, laying hold on the Opportunity, returned from *Rome* to *Scotland*, bringing along with him a Bull granted by the Pope in 1468, by which the Biſhoprick of St. *Andrews* was erected into an Archbiſhoprick, and he himſelf created the firſt Archbiſhop of that See and Primate of all *Scotland*. The Reaſon given by *Ferrerius* (*c*) and *Leſly* (*d*) for this Innovation is, becauſe the frequent Wars between *Scotland* and *England*, made it impracticable for the *Scots* Biſhops to apply or appeal to the Archbiſhop of *York*; for which Reaſon it was neceſſary that a Metropolitan or Primate, to whom they could have eaſy Acceſs upon all Occaſions, ſhould be conſtituted among themſelves. Thus, according to theſe Authors, the Biſhops, and conſequently the Church of *Scotland*, depended till this Time upon the Archbiſhop of *York* as their Metropolitan; a Miſtake ſo very groſs, that I much admire that any one ſhould have fallen into it: For I have demonſtrated (*e*) that the Church of *Scotland* did never ſubmit

James Graham firſt Archbiſhop of St. *Andrews*.

Leſly and *Ferrerius* confuted.

(*a*) Crawf. Hiſt. of the Stewarts, (*b*) Ib. p. 28. (*c*) f. 390. (*d*) p. 305. (*e*) Vol. 1. p. 423, 424, 425, &c.

mit to any Juriſdiction or Superiority, but that of the Biſhop of *Rome*, whom ſhe, as all other Churches in thoſe Days conſidered as the Succeſſor of St. *Peter* and the Vicar of Chriſt upon Earth. Nay, I have ſhewed, that the Biſhops of *Rome*(*a*), namely *Clement* III. *Celeſtin* III. *Innocent* III. and *Honorius* III. did in the moſt authentick Manner imaginable, declare, that as the Church of *Scotland* had ever been, ſo ſhe ſhould ever continue the immediate Daughter of the Church of *Rome*, and ſubject to none but themſelves and their Succeſſors, ſtrictly forbidding any but *Scotſmen* to aſſume the Title of Legate within *Scotland*, or to draw Eccleſiaſtical Cauſes to any Place out of the Kingdom, unleſs by Appeal to *Rome*; and that theſe Decrees were obeyed, and acquieſced in, cannot be doubted, there being no Veſtige to be found upon Record of any Pretenſion made by the Archbiſhops, either of *York* or *Canterbury*, to Superiority over the Church of *Scotland*, ſince the Reigns of King *William* and *Alexander* II. Which is the more obſervable, becauſe the ſucceeding Kings of *England* carryed their Pretenſions to Superiority over the Crown of *Scotland* much higher than their Predeceſſors had been able to do, and would, no doubt, have encouraged the Ambition of the Prelates their Subjects to do the like, if there had been the leaſt Ground, or but a colourable Pretence for it. It is then evidently falſe, that the Biſhops of *Scotland* did in any Degree acknowledge a Superiority over their reſpective Sees to be lodged in the Archbiſhop of *York*, or that they had Recourſe to him upon any Account whatſoever. They needed not; for they were impowered by *Honorius* III. (his Bull is to be ſeen in the Chartulary of *Aberdeen*,) to hold national Aſſemblies every Year for the Preſervation of Diſcipline, Propagation of Learning, Reformation of Manners, *&c.* and when aſſembled, to elect one of their own Number to preſide as Conſervator or Moderator, in Place of a Metropolitan, Primate or Archbiſhop. And this is the true Reaſon why none of the Biſhops of *Scotland* did till now aſpire to that Dignity, which no doubt they might have introduced among them at any Time; but they were ſo far from being deſirous of it, that on the contrary, they conſidered the procuring of it, as an Innovation derogatory to their Sees, and a criminal Encroachment upon their Conſtitution; in ſo much, that when the Decree of the Pope in Favour of Archbiſhop *Graham*, was intimated to them, they ſet themſelves to oppoſe it with all their Power, both at Home and Abroad. At Home they gave out that the Archbiſhop, whom yet they would neither call ſo, nor own to be ſuch, had violated the many Laws made againſt *Barratrie*, or ſuch Churchmen as ſhould preſume, either to go out of the Kingdom without Leave, or to purchaſe *Commends* or Benefices at the Court of *Rome*. They told ſo much to the King, and by their

Is oppoſed by the other Biſhops.

(*a*) Ib. p. 433, 434, 435.

Arguments (the moſt powerful of which was a *don gratuit* of 1000 Merks, with which they preſented him) prevailed with him to aſſure them of his Protection againſt the unlawful Authority of a Prelate, who, they ſaid, had thus unwarrantably attempted to invade the Rights, both of his imperial Crown, and of their independent Sees. Theſe Complaints, if I am not miſtaken, gave Occaſion to an Act of Parliament, which was made this Year (*a*); by which "all Clergymen, Religious and Secular, were prohibited to purchaſe *Abbacies*, or ſuch other Benefices at the Court of *Rome*, as of old had not been diſpoſed of by that Court, or to inform the ſame Court of the Value of Benefices, or to procure Unions of Benefices, or to collect any more Money for the Uſe of that See than appeared to be due by *the Provincial Book*, or the *old Taxation of Bagimont*, which, it ſeems, contained a Concordat or Agreement between the Popes and Kings of *Scotland*, with reſpect to the different Rights of the Pontificate and Regale". The Act further declares "all ſuch Perſons Spiritual and Temporal, who had done or would do any thing contrary to theſe Statutes, to be Traitors to the King, and for ever incapable of any Office within the Kingdom". So true it is, that the Church and State of *Scotland*, when in Communion with the Church of *Rome*, and conſequently ſubject to the Pope's Supremacy, were, as thoſe of *France* and ſome others ſtill are, ſufficiently guarded againſt the Encroachments of that Court. If our Neighbours of *England*, who could never bear with any tolerable Degree of Patience the Yoke of their gentleſt Kings, ſubmitted more tamely to that of ſome ambitious and encroaching Pontifs, it was their own Fault, and by no means an Effect of Religion; for it is viſible, as I have evinced in many Inſtances, that a State or national Church, and a Prince or private Man may be in Communion with the Church of *Rome*, and, even in the Popiſh Senſe, abundantly religious, without giving the leaſt Compliance to the ſo much talked of Abuſes, which every reaſonable Perſon of that Perſwaſion will ingenuouſly own and heartily deteſt, tho perhaps he may be of Opinion, that even theſe Abuſes were no Ground for a Separation, and that the like, if not greater, may be objected to the Separatiſts of all Sorts.

Laws againſt Barratrie.

Had the King and Parliament ſtopt where I left them, no Body would have had Reaſon to complain, but nothing leſs than the utmoſt Diſgrace that could be put upon a Churchman, would ſatisfie the Malice or Juſtice (it is hard to tell which) of the angry Biſhops. After having gained the King to eſpouſe their Quarrel, they ſent fit Agents to *Rome*, with Letters from the King and themſelves, in which they charged their new Metropolitan with Schiſm, Simony (*b*), and ſuch other Crimes, as induced the Pope and Cardinals to degrade and condemn him to perpetual Impriſonment.

Archbiſhop *Graham* degraded.

(*a*) Black Acts, f. 56. c. 4. (*b*) Leſl. p. 306.

Torment. This ſevere Sentence was no leſs ſeverely executed ſome Years afterwards, to the great Indignation of all good Men, if we may believe *Buchanan* (*a*), who very much extolls the Merit of that Prelate, and with much Bitterneſs inveighs againſt the unjuſt and ſcandalous Practices of his implacable Enemies, particularly of *William Scheves* and *John Lock*, the firſt Archdean of St. *Andrews*, the ſecond Rector of that Univerſity, both Men of better Parts than Morals, and by their inſinuating Arts in much Favour at Court. *Ferrerius* and *Leſly* diſmiſs the Subject without Reflections on either Party, ſo that we are in the Dark with reſpect to the Juſtice or Injuſtice committed; tho I more incline to think well than ill of Archbiſhop *Graham*, the rather, becauſe *William Scheves*, his moſt violent Perſecutor, was conſecrated Archbiſhop in his Room, notwithſtanding the Exceptions formerly made againſt that Preeminency, to which the reſt of the Prelates in Appearance cheerfully ſubmitted; no doubt, to convince the World that they did not decline to admit of a Superior through Pride or Contention, but that from a Principle of Conſcience, they had rejected one, in their Opinion, unworthy of ſuch a Poſt.

Succeeded by *William Scheves*.

Much about the ſame Time, when this Controverſy firſt aroſe concerning the Archbiſhoprick of St. *Andrews* (*b*), one *Alexander Thomſon* was elected by the Monks, in order to be preferred to the Abbacy of *Dumfermling*; but the King by his own Authority rejected him, and gave that religious Office to *Henry Crichton* Abbot of *Paiſly*, in whoſe Room he ſubſtituted *Robert Schaw* Curate of *Minto*, and henceforth moſt, if not all Religious and Eccleſiaſtical Dignities were conferred by the Sovereign, upon ſuch Perſons, Secular or Eccleſiaſtick, as he moſt affected; the inferior Clergy and Monks, whoſe right it was to chuſe their reſpective Superiors, not daring to complain, being prohibited by the too extenſive Laws againſt *Barratrie*, to ſeek Redreſs from the Pope, who alone could do them Juſtice, but to whom they had no Acceſs: And the Pope being ignorant of their Condition, and influenced by the Deſire of the King, never failed to confirm in their Dignities, ſuch as the Sovereign recommended to him. From thence, according to Biſhop *Leſly* and *Ferrerius*, did all thoſe Scandals and Corruptions proceed, which, like a Gangrene, infected and blackned the hitherto moſt loyal, learned, and untainted Church of *Scotland*: For the Door to Church Preferments was no ſooner laid open, in the Manner I have related, but all Men hurried on by Ambition and Avarice preſſed to get in, and defiled thoſe ſacred Monuments of ancient Piety, the Palaces of Biſhops, and Cloiſters of Monks, than which the wealthieſt Kingdoms in *Europe* had few or none more glorious, with the contagious Vices they carried along with them. Abbots and Priors were no more choſen by Monks the Witneſſes of their aged Experience, ſevere Diſcipline, auſtere Life, and exem-

Abuſes creep into the Church.

(*a*) p. 423, 424. (*b*) Leſl. p. 304, 305. Ferrer, f. 393.

play Piety, but by Kings regardleſs of Merit, put upon by Flatterers, and more deſirous to advance their own Favourites and the Relations of their Favourites, than to curb Vice, or to promote Vertue. Inſtead of *Bernardins* and *Benedictins*, long inured to Works of Charity, and trained up from their Youth in Haircloath and Solitude, Courtiers addicted to Pleaſure, rampant with Vanity, and boiling with Luſt, were intruſted with the Patrimony of the Poor, and Guardianſhip of the Religious. It is not to be ſuppoſed that ſuch Superiors as waſted their own Time in Idling, Hunting, Gaming, Drinking, *&c.* would take Care to keep their Inferiors in Silence, Mortification and Prayer; ſo that it is not to be wondred that all Ranks of People, who before had been edified by the Example, inſtructed by the Doctrine and ſupported by the Wealth of Churchmen, began to envy, deſpiſe and hate thoſe Intruders into the Church, who deprived them of all theſe Advantages. And thus the Church herſelf came at length to be undone, at leaſt ſo ſay the *Roman* Catholick Authors, whom I have quoted. Nor does *Buchanan* differ from them. He tells us (*a*), that Eccleſiaſtical Dignities were venal at Court, or, which is no better, given to Paraſites and Pimps; a very heavy Charge upon this King and ſome of his Succeſſors, who, to ſay the Truth, cannot be thought altogether blameleſs. For tho they had Reaſon to keep Money within their own Dominions, and to prevent Encroachments from Abroad, by reſtraining the frequent and chargeable Concourſe of their Subjects to *Rome*; yet they ought alſo to have reſtrained the boundleſs Ambition and Covetouſneſs of the Nobility and Gentry, and ſuffered the Elections of Prelates and others of the Church to be made orderly and Canonically, without impoſing Intruders upon them. But the Nobility and Gentry were ſo powerful and importunate, that it was no eaſy Task to deny their Requeſts, and the King had no better way to oblige or reward his Servants, than by preferring them or their Friends to *Commends*, as they were then called. Yet that even this King *James* III. was rather impoſed upon, than willing to prefer unfit Perſons, is evident from the Character given of him by *Ferrerius* (*b*). He had a ſingular Value, ſays that Author, for Learning and learned Men, he honoured their Profeſſion, and preferred their Perſons to plentiful Benefices. He alſo encouraged Induſtry, beſtowing very liberally upon ſuch Artificers and Mechanicks, as had the Reputation to excell in their different Employments. Being informed by Fame of the ſhining Merit of *John Ireland* a *Scotſman*, and a Doctor of the *Sorbonne*, he was at no Eaſe till he had recalled him to his native Country; and obſerving that he had not only a great Stock of Learning and Piety, but was alſo endowed with a peculiar Talent for Preaching, he applauded and cheriſhed his Eloquence and other Acquirements, by ſettling him in an honourable and opulent

K. *James* III. a Favourer of Merit.

John Ireland a Doctor of the *Sorbonne*.

(*a*) p. 424. (*b*) f. 391.

lent Living. One *William Roger* an *Engliſhman*, who had been ſent to *Scotland* with ſome others to negotiate a Truce, being an eminent Maſter of Muſick, he detained him at Court, ſettled a good Penſion upon him, and preferred him to the Honour of Knighthood; very deſervedly, ſays *Ferrerius*, ſince even in his Time about the Year 1529, many rare Muſicians were ſtill in *Scotland*, who boaſted of their having been taught by Sir *William*. Thus the excellent King, adds he, by his Munificence and Liberality, in ſome Meaſure compelled Men to be knowing and good. Sir *William Roger* an excellent Muſician.

Another great Proof of the King's Concern for the Welfare and Improvement of the Country, may be brought from an Act made in the Parliament I have mentioned above; an Act ſo good, that had it been as ſtrenuouſly put in Execution, as it was wiſely conceived, *Holland* had never fiſhed up ſo much Treaſure in the *Scottiſh* Seas, as has ſince enabled them to contend for the Sovereignty of the Main; the *Engliſh* would have had no Rivals in Trade, but the *Scots*, and the *Scots* without ſinking their Name, or ſhaking their Conſtitution by an incorporating Union with *England*, might have ſhared with the moſt flouriſhing Nations of *Europe*, in the Wealth of the old and new World. This Act runs thus (*a*), Fiſhing recommended by Parliament. "The Lords, that is, the Parliament think fit, for the common "Good of the Realm, and the great *Entres* (Income) of "Riches which will be brought into it from other Countries, "that certain Lords Spiritual and Temporal, and Burgeſſes *gar* "(cauſe) make great Ships, Buſhes, and Pink-boats with Nets "and all other Neceſſaries for Fiſhing. I have already obſerved that the like Projects had been ſet on Foot, and that Laws were made in former Reigns for the ſame Purpoſe, which ſhews that our Anceſtors very well underſtood the true Intereſt of the Nation: But, alas! the reſtleſs Ambition of great Ones, and the unruly Factions ſo prevalent in theſe degenerating Ages, have hitherto rendred thoſe well laid Deſigns abortive; ſo that while we ſcandalouſly contended among our ſelves about Matters, in the end ruinous to the fierceſt and moſt ſucceſsful Undertakers, we have always ſuffered our more induſtrious Neighbours to purſue and execute, to their great Praiſe and greater Advantage, the Deſigns which we had in View, and were by the Situation and other Circumſtances of our Country more able to effect than they. We had never a fairer Opportunity of enriching our ſelves by Fiſhing in our own Golden Seas, (I may juſtly call them ſo,) and by Conſequence of driving an undiſturbed Trade to and from all Parts then known, than at this time; for as yet we enjoyed a profound Peace at Home, were bleſſed with an encouraging and gracious King; the *Dutch* had no Name in the World; the *French*, *Danes* and *Norvegians* were our faſt Friends, and the *Engliſh* by reaſon of a new Revolution among themſelves in no Con-

(*a*) Black Acts, f. 57. cap. 60.

dition to traverſe us. *Edward* IV. had, with many great Qualifications, ſome very conſiderable Failings(*a*); he was immoderately addicted to his Pleaſures, eſpecially to *Amourettes* and Intrigues with Women; he loved his Eaſe more than his Buſineſs, and took no Meaſures to keep Danger or Miſchief at a Diſtance: But what was yet more impolitick, he ſeemed inſenſible of the great Services done him by the Favourers of his Title, and neglected ſome of thoſe, whoſe Abilities and Zeal had chiefly contributed to ſet him upon the Throne, while he cajolled and advanced others of the adverſe Party. A fatal Error, which has often made Rebels of Loyaliſts, and never or but ſeldom a Loyaliſt of a Rebel. The renowned Earl of *Warwick* aſpired perhaps to greater Rewards than it was fit for a King to give, or for a Subject to ask; but inſtead of theſe, he received many undeſerved Diſguſts, and one ſignal Affront, againſt which his Loyalty was not Proof. He reſolved to unking his own Creature, for ſuch he conſidered King *Edward* to be, made a Party for that End, declared for the abdicated and impriſoned King *Henry* VI. gave, or, which is all one, cauſed a ninth Battle to be given to the *Yorkiſts* at *Daneſmore*, and coming off with Victory, not long after ſurprized the unwary *Edward*, and upbraiding him with Ingratitude to his Merits, boaſted that it was now in his Power and Reſolution to plain the Mountain he had raiſed, and to elevate the Valley of King *Henry*'s Fortunes to the Throne he once poſſeſſed. But *Edward* made a ſhift to eſcape, and the ſucceeding Year 1470, a tenth Battle was fought between the two *Roſes* at *Stamford*, wherein he prevailed in his Turn, tho his Succeſs was of ſhort Duration; for *Warwick* having by means of the active Queen *Margaret*, who, with the Prince her Son had retired to *France*, procured ſome Supplies of Men and Money from the *French* King *Lewis*, found means to make himſelf Maſter of *London*, and to free the old King *Henry* from Priſon, who, reaſſuming the Crown, was again acknowledged the lawful King of the Realm, his Rival being at the ſame time declared an Uſurper. The Succours ſent from *France*, and Neceſſity of King *Henry*'s Affairs, made a cloſe Correſpondence with that Kingdom ſeem highly neceſſary, as indeed it was; for which Reaſon, a five Years Truce was agreed to at *London* (*b*) on the 16th of *February* this ſame Year 1471, in which the King of the *Romans*, the King of *Caſtile* and *Leon*, the King of *Scotland*, the King of *Hungary*, the Dukes of *Savoy*, *Milan*, *Genoa* and *Auſtria* were compriſed on the Part of *France*; and on that of *England*, the King of the *Romans*, the King of *Arragon*, the King of *Portugal*, the King of *Poland*, *Venice* and *Savoy*,

Ninth Battle between the Houſes of *York* and *Lancaſter*.

A tenth Battle between them.

Crown of *England* reſtored to *Henry* VI.

Truce between *Scotland* and *England*.

While all things in *England* and *France* happily ſucceeded for King *Henry*'s Intereſt, his Rival King *Edward* was uſing all poſſible Endeavours to recover his Kingdom by the Aſſiſtance of his Brother-

(*a*) Echard, Baker, Orleans, their Lives of Edward IV. (*b*) Fœd. Angl. Tom. 11. p. 683.

Brother-in-law the Duke of *Burgundy*, to whoſe Dominions he retired. But that Duke was not at all fond of his new Gueſt: On the contrary he ſeemed confounded and perplexed upon the News of his Arrival. For to aſſiſt him openly, would draw on him the Enmity of King *Henry*, at at a Time when he had much ado to reſiſt the Arms, but more the Politicks of his Couſin the King of *France*: Nor could he in Honour refuſe ſome Aſſiſtance to a diſtreſſed and fugitive Monarch, the Brother of the Dutcheſs his Conſort. King *Edward* made amends by his reſolute Forwardneſs in this Extremity, for the Remiſſneſs and Careleſſneſs of his former Conduct. His Impatience to be gone before King *Henry* could have Time to guard againſt his Return, would bear no delays, and the Duke was by his Importunity in ſome Meaſure compelled (tho he did it in the moſt inoffenſive manner he could think of,) to furniſh him with eighteen Ships, 2000 Men, and 50000 Florins of Gold. A ſmall Aſſiſtance for ſo great an Attempt; and this among many other Inſtances of the ſame kind, may teach Sovereigns how little they are to depend upon the generoſity of their Neighbours, when deprived of their own. However, with this Aſſiſtance, ſmall as it was, the undaunted King *Edward* ſet Sail for *England*, and ſeveral Circumſtances concurring with his Courage and Conduct, had the good Fortune to recover *London*, and in it the Perſon of the ſtill unfortunate King *Henry*, before the Earl of *Warwick* was in any Condition to oppoſe him. But *Warwick*, whoſe great Soul was never wanting to himſelf, at length drew an Army together, with which he engaged King *Edward* at *Barnet*, (and this was the eleventh Battle fought in that famous Quarrel,) but he loſt the Field together with his Life, and that of his Brother the Marquis of *Montague*. Had he outlived that Day, the *Yorkiſts* would have had ſmall Cauſe to rejoice of their Victory; for not long after Queen *Margaret* and the young Prince her Son arrived with conſiderable Supplies from *France*. But *Warwick* was dead, and with him the Hopes of the *Lancaſtrian* Cauſe. However, a twelfth Battle was fought at *Tewkesbury*, in which both the Queen and her Son were made Priſoners. The laſt was promiſed his Life by King *Edward*, and upon that Aſſurance preſented to him. He fixed his Eyes upon the Royal Youth, and admiring the Charms of his Face and Sweetneſs of his Diſpoſition, demanded of him how he durſt come with flying Colours into his Kingdom, and raiſe his People againſt him? To which he courageouſly anſwered, That he came to recover his Father's Kingdom, his proper and natural Inheritance, deſcended to him by ſeveral Generations. King *Edward* did upon this Occaſion, what will ever be a Stain to his Memory; he thruſt him diſdainfully away with his Gantlet, and ſome ſay ſtruck him on the Mouth. Upon which Encouragement his two Brothers, the Dukes of *Clarence* and *Gloceſter*, the Marquis *Dorſet* and the Lord

Eleventh Battle between the Houſes of *York* and *Lancaſter*.

A twelfth Battle at *Tewkesbury*.

Henry VI. and his Son barbarouſly murdered.

Haſtings ſtabbed him with their Poynards. That execrable Tyrant the Duke of *Gloceſter* did yet worſe: He went not long after to the Tower of *London*, to which King *Henry* had been a ſecond time committed, and unneceſſarly, (for that Prince was not like to have more Children to renew the Competition,) as well as brutally, murdered him with his own Hands. Thus periſhed, in appearance by the cruel Policy of Men, but in reality by the retaliating Juſtice of God, the innocent Grand-child and great Grand-child of the wicked *Henry* Duke of *Lancaſter*, who, to ſet the Crown upon his own and their Heads, had about ſeventy Two Years before, yet more criminally depoſed and murdered his rightful Sovereign *Richard* II. So unſecure are the moſt laſting and moſt proſperous Uſurpations.

All this time, the *Scots* being buſied with thoſe domeſtick Tranſactions which I have related, and by the Truce obliged to forbear meddling in the Affairs of *England*, lay by peaceable and unconcerned Spectators of thoſe tragical Events. This Non-action was highly agreeable to King *Edward*, who by former Experience very well knew how much it had been in their Power to add Fewel to the devouring Flame by which he was once ſo like to have been conſumed. He was therefore no ſooner reſettled upon the Throne, but to fix the King of *Scots* in the Intereſt of the Houſe of *York*, he cauſed a Match between ſome fit Perſons of the two Royal Families to be propoſed, rightly concluding that ſuch a Match would be a good Step towards a final Peace and a laſting Friendſhip. With this View Plenipotentiaries were by both Kings appointed to meet on the Borders (*a*), they for *Scotland* being the Biſhops of *Glaſgow*, *Aberdeen* and *Orkney*, the Earls of *Argyle*, *Crawfurd* and *Caithneſs*, the Lords *Hamilton*, *Borthwick* and *Seton*, *John Stewart* Lord *Darnly*, *David Guthry* Lord Regiſter and *Duncan Dundaſs* Eſq;. They received their reſpective Commiſſions in *Auguſt*, but did not meet till the next Year 1472, when on the 20th of *April* it was agreed that the preſent Truce ſhould be obſerved (*b*), but more eſpecially till the Month of *July* 1483; before which time both Parties undertook for their ſeveral Sovereigns that another Congreſs ſhould be held. The ſucceeding Year 1473, the Duke of *Burgundy* ſent Ambaſſadors to King *Edward*, deſiring his Aſſiſtance againſt the King of *France* (*c*) his near Couſin, but mortal Enemy. *Edward* was induced by many Motives to comply with that Requeſt: The Duke was his Brother-in-law, and had been aſſiſting to him in the time of his greateſt Neceſſities, whereas the King of *France* had enabled *Warwick* to diſpoſſeſs him of his Crown. Beſides, the *Engliſh* Nation had not yet forgotten that the united Forces of a former Duke of *Burgundy*, and of their King *Henry* V. had over-run, and very near ſubdued the whole *French*

Truce between King *James* III. and *Edward* IV.

A. D. 1472.

1473.

(*a*) Fœd. Angl. Tom. 11. p. 716, 717, 718, 719. (*b*) Ib. p. 758. (*c*) Echard. p. 542.

French Monarchy; and it was very well known that *Edward* IV. being deſcended from *Lionel* the ſecond Son of *Edward* III. who firſt claimed the Kingdom of *France* in Right of his Mother *Iſabella*, had a better Title to that Crown than *Henry*, who was deſcended only from *John* of *Gaunt*, the third Son of the ſame Pretender. But the *Engliſh* Monarch thought it by no Means adviſable to attack *France*, unleſs he was well aſſured that *Scotland* would obſerve an exact Neutrality; a Favour he could not expect notwithſtanding the late Truce, by which he well knew the older and infinitely more valuable League with *France* was not to be infringed. To remove this Impediment, the Duke of *Burgundy* ordered his Ambaſſadors to go forward to *Scotland*, and they dealt ſo effectually with King *James*, that *at the earneſt Entreaty* (as the Record (*a*) has it,) of his moſt dear Couſin and Confederate the Duke of *Burgundy*, he promiſed punctual Obſervation of the Truce, eſpecially for two Years next to come, without Prejudice of the longer Space fixed by former Agreements. Why he did ſo I cannot well tell, perhaps he knew nothing of the Deſign on Foot againſt *France*; or if he did, it ſeems he reſolved to aſſiſt that Kingdom with Auxiliary Troops to be ſent thither, as had been done by *Robert* Duke of *Albany* and King *James* I. without offering to make a Diverſion at Home, to which he was not obliged by the Tenor of the League, unleſs the Truce with *England* had been expired, as it was not. So that upon the Matter he promiſed nothing to the Duke of *Burgundy*, but what he was otherwiſe obliged to perform. He alſo undertook, as did likewiſe King *Edward* on his Side (*b*), to repair all the Breaches of the Truce made by their reſpective Subjects. For which End a Congreſs was held in *September* following (*c*) at *Alnwick*, where *Thomas* Biſhop of *Aberdeen*, *David* Earl of *Crawfurd*, *James* Lord *Hamilton*, Mr. *Alexander Inglis* Doctor of Law and *Duncan Dundaſs* Eſquire, appeared as Plenipotentiaries for *Scotland*, and agreed with the Biſhop of *Coventry*, Earl of *Nortumberland*, and others commiſſioned by King *Edward*, that in order to take away all Grievances, fit Perſons of both Kingdoms ſhould be appointed to meet at different Places on the Borders, namely *Newbigging-ford*, *Ridenburn*, *Gammilſpeth*, *Bell* and *Lochmabanſtane*.

The *Scots* had the greateſt Reaſon to complain of the Injuries done them: For about this Time a great Ship and richly laden (the very ſame which Biſhop *Kennedy* had cauſed to be built with ſo much Coſt and Magnificence, and which by him was named (*d*) *Le Salvator*, tho the *Scots* called it commonly the *Barge*) was driven by a Tempeſt upon the Coaſt of *England* not far from *Bamburgh*, where almoſt the whole Crew periſhed, and the *Engliſh*, contrary to the Articles of the Truce ſeized both upon the Veſſel and Cargo; nay they made Priſoners of thoſe few who had the A. D. 1474

(*a*) Fœd. Angl. Tom. 11. p. 772. (*b*) Ib. p. 773. (*c*) Ib. p. 788. (*d*) Ib. p. 820.

good Fortune to eſcape (*a*), and among theſe the Abbot of St. *Colme* who was conſtrained to pay a great Sum of Money for his Ranſom. This Injury was ſo great, that the Eſtates (*b*) who met in *May* thereafter, thought fit to take Notice of it; and at the ſame Time, that they adviſed the King to enter into an Alliance with the Emperour by the Means of his Father the King of *Denmark*, they alſo perſwaded him to ſend an Embaſſy into *England for obtaining Redreſs of the Barge*. He followed their Counſel, and upon his leaving the Seizers (*c*) to the Mercy or Juſtice of their own Sovereign, received, but not till the next Year, the Sum of 500 Merks (*d*) for the Loſs which his Subjects had ſuſtained; theſe laſt being by Agreement allowed to ſue for Reparation at Law, but prohibited to endanger the Peace by making Repriſals; for at this Time neither of the Kings was diſpoſed for War. On the contrary, they ſeemed equally fond of a Match between the two Royal Families, in order to take away, if poſſible, all Grounds and Occaſions of Diſcord. With this View (*e*) *Thomas* Biſhop of *Aberdeen*, Sir *John Colquhon* of *Luſs*, *James Schaw* of *Sauchy*, and the Lyon King at Arms, were ſent Ambaſſadors to the Court of *England* in *July*. They were ſo ſucceſsful in their Negotiation, that they returned in the Beginning of *October* to *Edinburgh*, (*f*) being accompanied or followed by the Biſhop of *Durham*, the Lord *Scroop*, Mr. *John Ruſſel* Keeper of the Privy Seal, and Mr. *Robert Booth* Doctor of Laws, who had a joint Commiſſion from King *Edward*, to complete in *Scotland* what had been ſo happily begun in *England*. *John* Biſhop of *Glaſgow*, *William* Biſhop of *Orkney*, *Colin* Earl of *Argyle*, *David* Earl of *Crawfurd*, the Abbot of *Holy-roodhouſe*, and the Archdean of St. *Andrews*, were appointed by King *James* to treat with them, and on the 26th of the Month agreed as follows, *viz.* That, in order to promote the Wealth, Peace, Honour and Intereſt of *this noble Iſle, callit gret Britane*, a Match "ſhall be concluded between *James*, only Son and Heir of *James* "King of *Scotland*, and *Cecil* the youngeſt Daughter of *Edward* "King of *England*; that the Truce made firſt at *York* in 1464, and "prolonged at *Newcaſtle* in 1465, to the Year 1519, ſhall be punctually obſerved; that during the ſaid Truce both Kings ſhall be ready to "aſſiſt one another as often as required, againſt their reſpective Rebels; that, in regard of the Infancy of the Prince and Princeſs, "he being as yet but in the ſecond Year of his Age, and ſhe no more "than four Years old, both Kings ſhall ſolemnly promiſe to do "all that in them lies to make the Marriage effectual in due "Time. That the Prince and Princeſs, during the Life of King "*James*, ſhall have *in Dowry and joint Feffement*, (I make uſe of "the Words contained in the Record) all the Lands and Rents "that belong to the old Heritage of the Prince, Son and Heir of "*Scotland*,

A Match agreed to between the Prince of *Scotland* and a Daughter of *England*.

Upon what Terms.

(*a*) Leſl. p. 304. (*b*) Black Acts, f. 58. c. 62. (*c*) Fœd. Angl. Tom. 11. p. 820. (*d*) Ib. p. 850. (*e*) Ib. p. 814, 815. (*f*) Ib. p. 824, 825, &c.

Scotland, *viz.* the Dukedom of *Rothesay*, the Earldom of *Carrick*, and "the Lordships, commonly called the Stuart-lands of *Scotland*; That "if the Prince comes to be King before the Death of the Queen his "Mother, the Princess, as being then Queen, shall have for her *Dow-*"*ry*, the *Tierce* or third Part of the Lands and Rents that belong to the "Crown; and when the Queen Mother comes to die, the same *Dow-*"*ry* which this last had enjoyed. That the King of *England*, in "Consideration of the said Marriage and *Dowry*, shall give with his "Daughter the Sum of 20000 Merks *English* Money, whereof "2000 shall be paid every Year at *Edinburgh* in the Parish Church "of St. *Giles*; the first Payment on the second of *February* next, "the second on the same Day of *February* 1475-6, and so on till "complete Payment be made of the whole; That if either the "Prince or Princess die before the Consummation of their Mar-"riage, another Marriage between the Heir of *Scotland* and a "Daughter of *England* shall be concluded on the same Terms; o-"therwise that all the Sums of Money paid in the Manner above-"mentioned by the King of *England*, shall be repaid by the King of "*Scotland* within four Years, the Sum of 2500 Merks being de-"duced, which Sum the King of *England* is willing to sink in "Consideration of the Marriage, even altho it should never be "compleated". But to make it as complete as possibly could be at the Time, *David* Earl of *Crawfurd* and Lord *Lindsay* (*a*), the King of *Scotland*'s Procurator (for so he is called in the Record) solemnly promised for, and in the Name of his Master, as did the Lord *Scroop*, Knight of the Garter and Procurator of the King of *England*, that the Marriage agreed to should be to all Intents and Purposes made effectual, as soon as the Prince and Princess should arrive at the Age prescribed by the Canons. Upon which *William Scheves* Archdean of St. *Andrews* (for he was not as yet promoted to the Archbishoprick of that See) and *Thomas Smith*, both Apostolick *Notaries*, as they were then called, took Instruments, the first for King *James*, the second for King *Edward*, before Witnesses, *Andrew* Lord *Evandale* Chancellor of *Scotland*, *Colin* Earl of *Argyle* Lord *Campbel* and *Lorn*, *John Colquhon* of *Luss*, *James Schaw* of *Sauchy*, *Malcolm Fleming* Son and Heir of the Lord *Robert Fleming*, *Alexander Hepburn* of *Quhittin*, *John Booth*, *John Portington*, *William Chan-*[illegible] &c.

King *James* reaped, in Appearance, a very considerable Advantage from this new Alliance: For, besides that the Sums due to him by King *Edward*, were punctually paid, he had thereby both A.D. 1475. Leisure and Freedom to do himself Justice by settling his own Revenue, and bringing such of his Subjects as had misbehaved during his Minority to give an Account of their Actions. In what Manner the Lords of the *Isles* and Earls of *Ross* had carried themselves in all Reigns with respect to the Crown, I have related as

(*a*) Ib. p. 821, 822.

they came in my way of Courſe. It is certain that they were never willing to ſubject themſelves to it, and that upon the well grounded Suppoſition of their being deſcended from the ancient Kings of the *Iſles*; they laid hold on all Opportunities of recovering that Independency, which they thought thoſe Kings their Anceſtors had enjoyed. The preſent *John* Earl of *Roſs* and Lord of the *Iſles* did worſe; for by a ſolemn Treaty agreed to in the Year 1462, upon certain Conditions which I have already related, he became a Subject and Liegeman of the King of *England*; but the King of *England* having by his laſt Agreement with King *James* renounced all former ones made againſt him, King *James* thought it now high Time to chaſtiſe the rebellious Earl, and to bring, if poſſible, that whole Family ſo low, that it ſhould be no longer in their Power to diſturb the State. Whether he was informed of the Earl's inexcuſable Agreement with the King of *England* or no, I know not. We are only told in general (*a*), that this Year
A.D. 1476. 1476 in the Month of *January*, *John* Lord of the *Iſles* and Earl of *Roſs* was for his own and his Father's Crimes declared an Outlaw; that in *May* following, a Fleet was fitted out, under the Command of the Earl of *Crawford*, and a land Army raiſed under that of the Earl of *Athole*, in order to reduce him to Reaſon; that the Earl of *Athole* prevailed with him to ſubmit upon certain Conditions, for which Service the former was rewarded with a Donation of the Lands and Forreſt of *Cluny*, and the laſt being by his own Conſent, and an Act of Parliament, which met at *Edinburgh* (*b*) on the 4th of *July*, deprived of the Earldom of *Roſs*, was continued in the Poſſeſſion and Title of Lord of the *Iſles*, and the Earldom of *Roſs* was by the Parliament declared for ever unalienable from the Crown, in ſo much that neither the King himſelf nor his Heirs could give it to any but the lawful Children of Kings. The ſame Parliament made void and null all Manner of Alienations, Infeftments and Grants prejudicial to the King and his Heirs, particularly Gifts of Crown Lands, Mails, Fiſhings, Patronages of Churches, heritable Offices and Erections of Regalities, there being but too many ſuch in the Kingdom already, and the Kings for their own Safety being by Law reſtricted from erecting more.

Earl of *Roſs* forfeited and reſtored to the Lordſhip of the *Iſles*.

Theſe Proceedings in Parliament, than which nothing was more legal, nor could be more juſt, had nevertheleſs a very ill Effect. They raiſed a perverſe Spirit in the Nation, the ſame which had appeared during the two laſt Reigns. But it had but appeared, the Vigour of the Government, the Zeal of the Church, the innate Loyalty of the People, and the Wiſdom of the Kings having been able to keep it within Bounds, till now that a great many who had, contrary to Law, impoſed upon the King during his Minority, and obtained illegal Grants from him, took it heinouſly

Diſcontents ariſe in *Scotland*, upon what Account.

(*a*) Leſl. p. 306. (*b*) Black Acts, f. 62. c. 87.

nouſly ill that the ſame ſhould be taken from them. They had now no more regard for a Benefactor, who would not, or could not ſecure them in their pernicious Acquiſitions, and they hated the King more violently, becauſe he did not continue to undo the Kingdom by impoveriſhing the Crown, than they had formerly loved him upon the Score of his exceſſive Liberality. The Diſſatisfaction of theſe Men (if I am not very far out in my Conjecture,) gave riſe to all the after-Calamities of this Reign; but their Diſſatisfaction had been impotent, as that of the Earls of *Douglas* and others proved to be in the two Reigns preceeding, if, ſenſible that the Royal Family was not to be overpowered but by it ſelf, they had not found Means to corrupt the King's two Brothers, *Alexander* Duke of *Albany* and *John* Earl of *Marr*, the laſt a Batchelor, the firſt married, but uncanonically, with a Daughter of the Earl of *Orkney*; both young, forward, ambitious, active and daring. They were made to believe that they were Eyeſores to the King their Brother, that he had no regard to their Birth nor Merit, that he ſtudied nothing ſo much as the Ruin of the ancient Nobility, and that they, being the moſt Noble, were like to fall the firſt Sacrifices to his unrelenting Jealouſies and implacable Wrath. That even Kings of that Character were not to be endured. That their Blood was more ſacred than their Perſons, and that the next to them in Blood had all the Reaſon in the World to look to their own Security. Precedents were not wanting in all Kingdoms to authorize ſuch Inſinuations as theſe: In *France*, *Spain* and *England*, Brothers and Sons had quarrelled the pretended Maladminiſtration of the Kings their eldeſt Brothers and Fathers. Thus *Lewis* XI. who reigned at the time in *France*, had more than once revolted againſt his Father King *Charles* VII. *Henry* a Baſtard of *Caſtile* had dethroned and murdered his lawful King and Brother *Peter*, ſirnamed the *Cruel*. *Edward* II. and *Richard* II. had been depoſed and murdered by their neareſt of Kin in *England*, and how gloriouſly had the Poſterity of *John* of *Gaunt*, a third Son of *Edward* III. reigned, till of late that the Weakneſs and Imbecillity of *Henry* VI. the laſt of the *Lancaſtrian* Kings, afforded an Opportunity to the elder Branch of dethroning him; an uſual Practice in *England*, ever ſince *England* was a Nation, and no leſs frequent in *Scotland* (*if uncertain Tradition and Authors without Vouchers could be relyed upon*) till the Reign of King *Malcolm Canmore*. Theſe, or ſuch Infuſions as theſe, had the intended Effect upon the youthful Minds of the unwary Princes. They ſucked in the Poiſon as greedily as it had been artfully prepared, and ſo began to entertain Thoughts, the one of being King, the other of advancing at leaſt one Step nearer to the Throne. I ſay ſo, and I ſhall afterwards prove what I ſay, beyond the Poſſibility of a Reply, or ſo much as a Doubt or Objection to the contrary. But this unnatural Conſpiracy was carried on with ſo much Cunning

The King's two Brothers corrupted by ill Counſel.

A. D. 1477.

1478.

1479.

and Secrecy, that all Men then living, but the Conſpirators themſelves, the ſagacious King and his vigilant Counſellors, believed it to be fictitious; in ſo much, that even *Ferrerius* (*a*) and *Leſly* (*b*), two Authors of Honour and Probity, but unacquainted with theſe Works of Darkneſs, ſeem to think that the Royal Youths met with very hard Meaſures, eſpecially *Leſly*, who tells us that the King ſuffering himſelf to be governed by a Sett of mean deſpicable Fellows, was perſwaded to commit his Brother the Duke of *Albany* to Priſon. It is no wonder then, that *Buchanan*, laying hold upon this Opportunity of wounding all Sovereigns through the Sides of one, diſplayes ſo much Art and Eloquence in relating by what means (*c*) King *James* degenerated *from a moſt amiable and hopeful Prince*, as till then he had been, *into a monſtrous Tyrant*, and that being acted by continual Suſpicions and Jealouſies, he looked upon (alas! he had too much Reaſon,) the greateſt of his Nobility and neareſt Relations, as ſo many Enemies. According to that Author (upon whoſe Credit *Hawthornden* (*d*) tells us the ſame thing,) he was miſerably infatuated with a deſire of knowing Futurities, and a Belief that Futurities could be foretold. This Infirmity, which they about him thought fit to improve to their own, if not his Advantage, made him invite one *Andrew* a Profeſſor of Phyſick, much famed for his Intimacy with the Stars, from *Flanders*, who told him, that in *Scotland* a Lyon ſhould be devoured by his Whelps; and *William Scheves*, now Archbiſhop of St. *Andrews*, confirmed him in the Fear of imminent Dangers from his Kindred, pretending, as the other, to know ſo much by means of his Skill in Aſtrology; tho truly, adds *Hawthornden*, he had his Knowledge from Geomancy and good Information upon Earth. *Hawthornden* is in the right, for it is certain, that the Duke of *Albany* had a Deſign upon the Crown, which if it be true, as I have promiſed to evince that it is, and ſhall be as good as my Word, we muſt needs conclude, that there was a diſaffected Party in the Kingdom determined to aſſiſt him, and that the Earl of *Marr* was of that Party, I believe no Body will doubt; ſo that I need not enquire into the Particulars of his Crime. *Buchanan* ſays, that for having ſpoken too freely of the Government, the King's Domeſtick Council (he means the mean Fellows above-mentioned,) condemned him to an eaſy, but undeſerved Death: For, ſays he, a Vein was opened, and the circulating Blood let out till he expired. *Leſly* owns the manner of his Death, but imputes it to a ridiculous Deſign of taking away the King's Life by Magick or Sorcery, a Crime, of which, according to that Author, he was convicted, and for which many more ſuffered beſides himſelf, juſtly or unjuſtly, he does not tell. *Ferrerius* inſinuates that he was murdered by Villains, but leaves it doubtful whether the King was acceſſary to the Murder or not: And

K. *James* III. miſrepreſented by *Scots* Authors, eſpecially *Buchanan*.

The Earl of *Marr* put to Death.

(*a*) F. 391, 392. (*b*) p. 307. (*c*) p. 425, 426. (*d*) p. 135.

And *Hawthornden*, yet more favourable to the Memory of that Monarch than *Ferrerius*, is positive (*a*), that the Earl his Brother being for his rash Expressions confined to the Castle of *Craigmillar*, was so much incensed that his Anger turned into Rage, his Rage into a Fever, and his Fever into a Phrensy; and that he was therefore transported from *Craigmillar* to the *Canongate*, or Suburbs of *Edinburgh*, where the King's Physicians being appointed to attend him, they ordered some Veins of his Head and Arms to be opened, and whether by his own Disorder or Misgovernment in his Sickness, that the Bandages designed to restrain the Blood being loosened, he fainted for want of that essential Ingredient of Life, and not long after expired among the Hands of his best Friends and most faithful Servants. This last Author cites a very good one for his Voucher, Bishop *Elphinston*, who lived at the Time, and was a Minister of State during most of this and the succeeding Reign. He was an excellent Man, and has left us a Continuation of *Fordon*, which is still extant in the *Bodleian* Library at *Oxford*.

The Duke of *Albany* retires to *France*.

The Duke of *Albany* was much about the same time committed to the Castle of *Edinburgh*, from whence he escaped with amazing Danger, to his own Castle of *Dumbar*, in which he placed a Garrison; but finding that he was instantly to be besieged by an Army under the Command of the Lord *Evandale* Chancellor of *Scotland*, he soon after retired to *France*. Nor did the Garrison left behind him make a very considerable Defence, only four Gentlemen of Name (*b*) the Lairds of *Luss*, *Sauchie*, and *Craigie-wallace*, and one *John Ramsay* were killed, the first three by a Cannon Ball, the last by Stones thrown down from the Walls. The Souldiers of the Garrison betook themselves to the Sea in small Boats, and with great ease made the *English* Coast. Others of the Party did likewise put their several Houses in a posture of Defence against the Government, particularly the Earl of *Orkney* and *Caithness*, (whose Daughter was married, or pretended to be married with the Duke,) and Sir *James Liddel* of *Hackerton*. The Earl fortified the Castle of *Crichton*, and the Knight that of *Hackerton*; for which Reason they were both forfeited by an Act of Parliament still extant among the Records. And thus that noble Family of the *Sinclairs* that had made so great a Figure in the Kingdoms of *Scotland*, *Denmark*, *Sweden* and *Norway*, lost a great deal of its Lustre.

His Castle of *Dumbar* surrendered to the King.

The Earl of *Orkney* forfeited.

Short Account of the Name and Family of *Sinclair*.

The Surname of *Sinclair*, tho no doubt originally *French*, is nevertheless very ancient in *Scotland*, for the Lands of *Herdmonston* were possessed by one of that Family (*c*) in 1162. I know not whether they of *Roslin* can shew so old an Evidence; but these last (whether the oldest Branch or not, I do not determine,) very far surpassed the first, and indeed most other Families within the Kingdom (a very few excepted) in Grandeur and Wealth. I

(*a*) p. 137. (*b*) Lesly p. 309. (*c*) Charta penes Matth. Sinclair de Herdm. M. D.

have already narrated by what means they obtained the Earldom of *Orkney* under the Kings of *Norway* and *Denmark*. One of them is ſaid to have married *Florentia*, a Daughter of the King of *Denmark*, and another to have been by King *Chriſtian* I. created Duke of *Oldenburgh*, and to have been honoured with the Knighthood of three different Orders, the Thiſtle, Garter, and Golden Fleece. A third, Earl *William*, having a vaſt Eſtate, took upon him, they ſay, a great many lofty Titles, ſuch as (*a*) Duke of *Oldenburgh*, Earl of *Orkney*, Lord of *Shetland*, *Sinclair*, *Dyſart*, *Couſland*, *Roſlin*, *Herbertſhire*, *Pentland*, *Nidſdale* and *Newburgh*, Guardian of the Eaſt and Weſt Marches, Baron of *Oxford* and *Cavertoun*, great Chamberlain and Admiral of *Scotland*, and Knight of the Golden Fleece. He pretended to the Lordſhip of *Nidſdale* in Right of his Mother *Giles Douglas*, the Daughter of *William Douglas* Lord of *Nidſdale*, and of *Giles Stewart* the beautiful Daughter of King *Robert* II. But King *James* II. to whom he was a very faithful Servant, gave him in lieu of that Claim the Earldom of *Caithneſs*, upon the Death or Demiſe of *George Crichton* who had no Iſſue; and after this time I find him generally in Records ſtiled Earl of *Caithneſs*. He had many Sons and Daughters by his two Ladies, *Elizabeth Douglas* Daughter of *Archibald* Earl of *Douglas*, and *Marjory Sutherland* Daughter of the Maſter or Earl of that Name. He had died, as he lived, happy, if he had not been ſo nearly allied to the Houſe of *Douglas*: For it is probable that the Marriage of his Daughter by the firſt Wife with the Duke of *Albany*, gave ſome occaſion to thoſe Intrigues between the Duke, the Earl of *Marr*, the baniſhed *James* Earl of *Douglas*, *Archibald Douglas* Earl of *Angus*, the Earl of *Roſs*, himſelf and others, in that Faction which proved ſo fatal to moſt of them, and ſo deſtructive to the King and Kingdom. The Sequel of the Story will warrant this Conjecture, which I do not offer as an unqueſtionable Truth. It is certain however, that this Earl *William* was among the firſt Sufferers, being forfeited, as I have ſaid, for *Stuffing*, that is, fortifying the Caſtle of *Crichton* and others, againſt the King. But the King was ſo good as to reſtore his Children, if not to all, at leaſt to the better part of his Eſtate. This is plain from many Evidences, particularly from a Contract (*b*) dated the 9th Day of *February* 1481, betwixt *William Sinclair* Son and Heir of the deceaſt *William* Earl of *Caithneſs*, and *Henry Sinclair* Son and Heir of the ſaid *William* on the one Part, and Sir *Oliver Sinclair* Brother to the ſaid *William* on the other Part; "Whereby Sir *Oliver* reſigns, and "gives over to the ſaid *William* the Lands of *Couſland*, *Dyſart* and "*Ravenſcraig*. On the other hand the ſaid *William Sinclair* elder, and his Son and apparent Heir *Henry*, "Make over in the ſame manner to the ſaid Sir *Oliver* and his Heirs, all Right, Claim and "Title of Right which they may have to the Lands of *Roſlin*, *Pent-*

"*land*,

(*a*) MS. penes meipſum. (*b*) Penes William Wilſon Clerk to the Seſſion.

" *land* and *Pentland Muir*, *Morton* and *Mortonhall*, *Herbertſhire*, &c." *Laſtly*, The ſaid Sir *Oliver* " Obliges himſelf in Time to come, " to honour and worſhip the ſaid *William*, *as effeirs and accords* " *him to do* to his elder Brother; and that if there ſhall be any " Debate or Competition between the ſaid *William* and *William* " his younger Brother, for the Earldom of *Caithneſs*, in that Caſe " to ſtand Neuter between them". Thus we ſee how bountiful the King was in reſtoring ſo much of the forfeited Father's Eſtate to his Children: But why *William* his eldeſt Son and Heir, from whom the preſent Lord *Sinclair* is lineally deſcended, had ſo ſmall a Share of it, I ſee but one Reaſon; and it is this. So far as I can gueſs, he had the Misfortune to be the Brother German of the Dutcheſs of *Albany*, and being a Grandchild of the Houſe of *Douglas* by his Mother, was alſo a near Relation of that Firebrand *James* Earl of *Douglas*, who was ſtill alive; whereas the other two, being the Children of the Earl's ſecond Wife, were upon that Account much more acceptable to the King, by whoſe Favour *William* the younger Brother afterwards obtained the Earldom of *Caithneſs*, preferably to *William* the elder. A Preference of which this laſt had no Reaſon to complain; for ſince the Father had been juſtly forfeited, the King might have annexed his whole Eſtate to the Crown, and it was an Act full of Mercy, Goodneſs and Generoſity in him to return all, or any Part of it, to his Children, whether eldeſt or youngeſt. Nor have the Poſterity of theſe three Brothers ſhewed themſelves in any Degree inſenſible of the Favour done them, their Loyalty to the Poſterity of their Benefactor being to this Day conſpicuous.

During theſe three or four Years bypaſt (for the differing and unchronological Accounts of *Scots* Authors, have not permitted me to tell preciſely at what Time theſe Matters were tranſacted,) there had been a very good Correſpondence kept between the two Courts of *Scotland* and *England*; the rather, becauſe that of *England* was much about the ſame Time embaraſſed with Intrigues no leſs unnatural, and fully as tragical, as thoſe which I have related. For, to be ſhort, the Duke of *Clarence*, King (*a*) *Edward*'s ſecond Brother, was, as the Earl of *Marr* had been in *Scotland*, put ſecretly to Death, but in a Manner, as was generally reported, much more cruel; for whereas the one bled, without any Senſe of Torture or Pain, till he expired, the other was miſerably ſuffocated, his Head being violently thruſt into a Butt of *Malmſey* Wine, ſo that he was drowned without Water upon dry Land; an Inhumanity, which, tho it was very ſeverely cenſured, yet did not beget ſo odious Epithets to King *Edward*, as the much more gentle, and as well deſerved Death of the Earl of *Marr*, has occaſioned *Buchanan* and others to faſten upon the Memory of King *James*. Theſe tragical Events and unnatural Jarrs, which, as I

The Duke of *Clarence* inhumanely murdered.

(*a*) Echard, p. 548.

Good Correſpondence between K. *James* and King *Edward.*

have ſaid, embaraſſed both Courts much about the ſame Time, contributed in ſome Meaſure to cement the good Underſtanding and Alliance into which they had entred, and King *Edward* failed not to tranſmit the Sums due by him to King *James* punctually at the Times appointed. The firſt Payment of 2000 Marks having been made at *Edinburgh* (*a*) on the third of *February* 1475, the ſecond on the ſame Day and Month (*b*) 1476, and the third (*c*) alſo in *February* 1477; the Receivers of it being *Alexander* Lord *Hume*, *Robert Lawder* of *Edrington*, Son and Heir of *Robert Lawder* of the *Leis*, and *Allan Blackader* of *Blackader*. In 1478 King *James* (*d*) reaſſumed a Reſolution which he had taken ſeveral Years before, to go over to *France*, upon what Errand I cannot gueſs, but Devotion was pretended, it being given out that he had obliged himſelf by a Vow to viſit the Shrine of St. *John* at *Ambois*; and becauſe it was not ſo convenient to make the Voyage by Sea, he asked and obtained from King *Edward* (who, as he ſaid, was deſirous of nothing more than to ſee his moſt dear Brother and Couſin,) a ſafe Conduct, in order to his travelling by Land through *England*. But other Occurrences happened, which made it impracticable for the two Kings to meet, but as Enemies with their Swords in their Hands. *Scots* Authors (*e*) generally ſay, that the King of *France* by his Envoy Doctor *Ireland*, preſſed King *James* ſo earneſtly to a Rupture with *England*, that at length he complied with the Requeſt of his old Ally, ſo far as to ſend Ambaſſadors to his new one, requiring him to withdraw the Aſſiſtance which he gave to the Duke of *Burgundy* in Oppoſition to the King of *France*, and threatning a War in Caſe of a Refuſal. What Truth may be in this, I cannot tell, but to me it ſeems not probable; for the Kings of *France* and *England* were apparently in Friendſhip together at the Time, nay, a Daughter of *England* was contracted to the *Dauphin*: Beſides, when the King of *England* ordered an Army to be raiſed in Oppoſition to the King of *Scotland*, he gives this Reaſon for it (*f*), that, as he was informed, the King of *Scotland* deſigned to break the Truce, and to declare War more by Action than Words, a Proof, I take it, that King *James* ſent him no ſuch Meſſage as is pretended. On the contrary, it appears by our Acts of Parliament (*g*), that towards the end of the laſt Year 1477, or the Beginning of 1478, an honourable Embaſſy was ſent into *England*, with Orders to treat about a Marriage between the King's ſecond Siſter Princeſs *Margaret*, and ſome *Engliſh* Nobleman, I believe the Earl of *Rivers*, the Queen of *England*'s Brother; at leaſt I find that ſhe was afterwards promiſed to and contracted with one of the *Engliſh* Court ſo ſtiled. King *James* had then no mind to violate his Faith by being the Aggreſſor in a War with *England*, as was reported by a certain Cabal, to make him

Scots Authors miſtaken.

(*a*) Fœd. Angl. Tom. 11. p 850. (*b*) Ib. Tom. 12. p. 23. (*c*) Ib. p. 41. (*d*) Ib. p. 4, and 53. (*e*) Buchan. p. 427, 428, &c. Ferrer. f. 394, 395, &c. Leſl. p. 308, 309, &c. Hawth. p. 139, &c. (*f*) Fœd. Angl. Tom. 12. p. 115. (*g*) Black Acts, f. 64. cap. 87.

him odious to his People, and from theſe Reports tranſmitted to Poſterity by undiſcerning Writers. The Truth of this Aſſertion is plainly and fully atteſted by another Act of Parliament (*a*), of which afterwards; and, I hope the Reader will give more Credit to the Aſſertion of the Eſtates aſſembled in Parliament, than to our printed Authors, theſe having certainly been impoſed upon by the Reports of that wicked Cabal, who were themſelves the Contrivers of the War. I have the more Reaſon to think ſo, becauſe I find that the forfeited Earl of *Roſs* or Lord of the *Iſles* (*b*), and Sir *Alexander Rait* had withdrawn themſelves, for ought I can ſee, to *England*; for which Reaſon they were ſummoned to appear, and give an Account of their Actions. A Proof that the Earl relapſed into his former Miſdemeanours, after he had ſeemingly ſubmitted to the Sentence pronounced againſt him; and a Teſtimony, that if he did not leave the Kingdom, he renewed at leaſt his Correſpondence with ſuch as did, or with thoſe who by not doing ſo, found Means to do yet worſe at Home. For they who withdrew, particularly the Garriſon of *Dumbar* Caſtle, were kindly entertained in *England*, contrary to an expreſs Article of the Truce, and they of the ſame Faction who ſtaid at Home, ſuch as the Earl of *Angus*, the Lord *Gray*, and Sir *James Liddel* of *Halkerſton*, not only kept a cloſe Correſpondence with the Refugees, and more eſpecially with *James* Earl of *Douglas* and his Aſſociates at the Court of *England*; but alſo by their ſeditious Diſcourſes and Practices, alienated the Affections even of well-meaning Men, from the King's Perſon and Government. The Poſture of Affairs with reſpect to King *James* being ſuch, King *Edward* began to think his Friendſhip and Alliance not at all deſirable; and this is the true Cauſe, as will by and by appear, of the Breach that enſued between them.

War with *England* occaſioned by a rebellious Faction at Home.

It is no Matter which of the two firſt entred upon Action; this is certain, that the Borderers on both Sides, by the Orders, or at leaſt with the Connivence of their reſpective Sovereigns, committed ſeveral Hoſtilities and Depredations. Upon which King *James* ſent an Herauld and Purſevant (as the Act of Parliament (*c*) calls them,) with Offers to redreſs all Attempts that had been made by his Subjects againſt the Truce, provided that King *Edward* would do the like. Theſe Meſſengers were long detained in *England*, and at laſt ſent back without having received an Anſwer, either by Word or in Writing: A Procedure which both the King and Eſtates of *Scotland* highly reſented, and which fully ſatisfied theſe laſt, as they themſelves declared, that the King could not avoid that War of which he is ſo unjuſtly accuſed. His Meſſengers were detained on Purpoſe to hinder him from being informed of the great Preparations that were making againſt him: For upon the 10th of *May*, *Richard* Duke of *Gloceſter* (*d*), was by the King his Brother named Lieutenant General of the North, and appointed A.D. 1480.

(*a*) Ib. f. 65. c. 100. (*b*) Ib. f. 64. c. 87. (*c*) Ib. f. 65, 66. (*d*) Fœd. Angl. Tom. 12. p. 115.

forthwith to march with an Army againſt his *inveterate Enemy James* King of *Scotland*, who, ſaid he, deſpiſing his own Reputation and *all Nobility*, went about, as he was informed, to violate the Truce, and to declare a War rather by Actions than Words. It is obſervable that King *James* is here called a Deſpiſer of *all Nobility*; from whence we may very ſafely conclude, that King *Edward* was no Stranger to the Nobility of *Scotland*, whoſe Quarrel he ſeems to eſpouſe; and as this is a further Vindication of the King, ſo it is an Indication, that the *Scots* Nobility, at leaſt a conſiderable Party among them, did thus villanouſly procure their Country to be invaded by a foreign Power; ſo that what happened afterwards at the Bridge of *Lawder*, can be no longer a Matter of Wonder. King *James* was not much behind the Enemy in his Preparations for War (*a*). He raiſed a very powerful Army, and was on his March to the Frontiers, when a Nuncio from the Pope came to the Camp, and ſhewing him his Holineſs's Bull, requeſting and admoniſhing him to forbear the ſhedding of Chriſtian Blood, at a Time when the Progreſs of the *Turks* threatned all Chriſtendom with Deſolation, ſo far prevailed, that the King disbanded his Army, not doubting but that the *Engliſh* would have been equally obedient to the *Holy Father*. But whether this Nuncio was only an Impoſtor, ſent on Purpoſe to delude the *Scots* into Security, or that the *Engliſh* had not ſo much regard to the Pope's Authority as they; it is certain however, that theſe laſt proceeded with hoſtile Rage to the greateſt Violences in their Power, burning, ravaging and deſtroying all Parts and Places upon the Borders. The Borderers finding themſelves attacked in this Manner, were not wanting to themſelves; they, and ſuch others as the King could ſend to their Aſſiſtance, invaded *England* in their Turn, where they did ſo much Miſchief (*b*), that King *Edward*, upon Advice of their Preparations towards a ſecond Incurſion, by his *Letters* dated the 20th of *June*, commanded all that owed him Service to be in a Readineſs to oppoſe them. He was obeyed, and his Army, inſtead of meeting with the *Scots*, or attempting to penetrate into *Scotland*, marched ſtreight to *Berwick*, and laid Siege to that Place, but too late, the Winter being near at hand; and the Garriſon defended themſelves ſo gallantly, that after the Enemy had ſpent all that rigorous Seaſon of the Year in fruitleſs Attempts, they were at length obliged to retire, after having made ſeveral large Breaches in the Walls, which being new built, were the more eaſily ſhattered.

The *Engliſh* invade *Scotland.*

The *Scots* invade *England.*

Berwick beſieged by the *Engliſh.* A.D. 1481.

The noble Defence made by the *Scots* at *Berwick*, and the great Loſſes ſuſtained by the *Engliſh* before that Place, which King *Edward* conſidered as his own, becauſe it had been ſo long in the Poſſeſſion of his Predeceſſors, mortified that haughty Monarch extremely, and now he reſolved to march in Perſon againſt his *unfaithful and ancient Enemy* (*c*), as he was pleaſed to call

(*a*) Black Acts, loc. ſup. cit. (*b*) Fœd. Angl. Tom. 12. p. 117, 118. (*c*) Ib. p. 139.

call King *James*. With this view he iſſued out his Writs on the 2d of *March* 1481, acquainting his (*a*) Subjects with the deſigned Expedition, and commanding them to be ready to attend him with Waggons, Arms, Ammunition, *&c.* On the other hand King *James*, being deſirous to quicken the Zeal and Loyalty of his Subjects, thought fit to call a Parliament, which met at *Edinburgh* on the 2d of *April* (*b*). And here it was that he gave full Satisfaction to the Eſtates of the Uprightneſs of his Intentions, the Juſtice of his Quarrel, and the unavoidable Neceſſity under which he lay to defend himſelf and them againſt the *Reifar*, that is, Uſurper, *Edward*, "Who, ſay they, *calls himſelf King of* "England, as if, in their Opinion, he had not been lawfully ſuch. "They add, That becauſe it is undoubtedly true that the ſaid "*Reifar Edward*, through his boundleſs Avarice, and inſatiable "deſire of Plunder and Conqueſt, being fearleſs of God, and re- "gardleſs of the Effuſion of Blood, of the Oath himſelf had "made to keep the Truce, and of his Honour and *Lautie*, is poſi- "tively determined to proſecute the War which he ſo unjuſtly "commenced, and to endeavour with all his Power the De- "ſtruction and Conqueſt of this Realm, *The three Eſtates* have "therefore heartily and freely promiſed *to Our Sovereign Lord*, "to ſtand firm in their Obedience to his Highneſs, with their "Perſons, Lands and Goods, in Defence of his moſt noble Per- "ſon, his Succeſſion, Realm and Lieges, as they and their An- "ceſtors had done before." This brisk Reſolve was attended or followed by ſeveral very important Advices which they gave to his Majeſty, and Orders which they emitted with his Concurrence towards a vigorous Defence. In the firſt place, "They "ordered all Men living within the Kingdom to be ready upon "eight Days warning, or ſooner, if required, to attend the King "with Arms and Proviſions for at leaſt twenty Days. They made "Regulations concerning the Weapons, ſuch as Spears, Axes, "Bows, *&c.* which every Man was to bring along with him, "and Couriers or Poſts for the quicker Diſpatch of neceſſary Or- "ders and Intelligence. They appointed the Caſtles of *Dumbar*, "*Lochmaben*, St. *Andrews*, *Aberdeen*, *Tentallon*, *Hume*, *Douglas*, "*Hales*, *Edringtoun*, the *Hermitage*, and in general every Gentle- "man's Houſe to be well provided with Victuals and *Artillerie*; "and becauſe, ſay they, of the honourable and *Couragious Opinion*, "that is, Reſolution *of our Sovereign Lord, to preſerve the Town* "*of* Berwick, and the great *Coſt* and Expences his Highneſs has "been at in fortifying, ſtrengthning and new-building the Walls "of the ſame, as alſo in repairing the Caſtle, and furniſhing it "with Artillery, and in placing a Garriſon of 500 Men in the "Town to be maintained at his Majeſty's Charges, to the great "Honour and Profit of the Realm, and no leſs Harm and De-

Vigorous Reſolutions of the Parliament.

(*a*) Ib. p. 140. (*b*) Black Acts, f. 65, 66, &c.

A Tax raiſed For the Maintenance of Garriſons on the Borders.

" triment of the Enemy, they therefore oblige themſelves to " maintain as many more Men in other Places, that is to ſay, 20 " in *Blacader*, 20 in *Wedderburn*, 60 in *Hume*, 60 in *Ceſford*, 60 " in *Jedburgh*, 20 in *Ormiſtoun*, 20 in *Edgerſtoun*, 20 in *Cocklaw*, " 20 in *Dolphinſtoun*, 100 in the *Hermitage*, 40 in *Caſtlemilk*, 40 " in *Annand*, and 20 in *Belliſtower*." *James Borthwick* Son to the Lord *Borthwick*, was appointed to Command the hundred Men who were poſted in *Blacader*, *Wedderburn* and *Hume*, and to chuſe two Gentlemen to be Captains under him, one of them to reſide in *Blacader*, the other in *Wedderburn*, and himſelf in *Hume*. The Laird of *Edmonſton* was in the like manner made Commander in Chief of the Garriſons of *Ceſford*, *Ormiſtoun* and *Edgerſtoun*, as was the Laird of *Cranſtoun* of the Garriſons of *Jedburgh*, *Cocklaw* and *Dolphinſtoun*; the Laird of *Lamingtoun* of that of the *Hermitage*; the Laird of *Closburn* of that of *Lochmaben*, and the Laird of *Amisfield* of thoſe in *Caſtlemilk*, *Annand* and *Bellistower*. Theſe *principal Captains*, as they are called, were to receive all the Pay due to themſelves, their under-Captains, or Lieutenants, and Souldiers under their reſpective Commands, eleven Shillings and Sixpence being the daily Allowance given to every *Spear*, and eleven Shillings to every Bow, which Money they were to deburſe as they ſhould be anſwerable to the *King's Highneſs*; and the three Eſtates obliged themſelves to raiſe it, the Clergy being bound to maintain twelve Score, or 240 Men, the Barons as many, and the Burrows 120. This was a Piece of Supererogation, and a certain Proof of Affection in the Eſtates: For tho all Men were by their Allegiance bound to ſerve the King at their own Charges in the Field, yet the raiſing of Money for the Maintenance of a ſtanding Force within the Kingdom, was not ſo uſual; nor could the Sovereign legally exact Subſidies of this kind but in a Parliamentary way: For which Reaſon, we ſee that the Officers appointed to command that ſtanding Force, were named by them, tho they were anſwerable as to their Conduct to none but the King, who alſo by his ſole Authority appointed other Officers to command above them, particularly the Lord *Darnly*, who was at the ſame time made Warden of the Weſt-Borders, all his Majeſty's Subjects being ordered to obey him and his Lieutenants.

The ſtrongeſt Places upon the Frontiers being in this manner provided for, it was further thought adviſable or expedient by our Sovereign Lord and the three Eſtates, (I make uſe of the very Words of the Record, only allowing my ſelf the freedom to alter ſuch as would not be underſtood;) " That all poſſible Dili- " gence ſhould be uſed in order to get Intelligence of the De- " ſigns and Approach of the ſaid *Reifar Edward*; that in the mean " time Letters ſhould be written to all Sheriffs, commanding all " our Sovereign Lord's Lieges to be in a readineſs to attend him " with their Horſes, Arms, and ſufficient Proviſions; that fre-

" quent

" quent *Weaponſhawings* or Rendezvouſes ſhould be held; that up-
" on the ſight of an Enemy Fires ſhould be kindled upon Emi-
" nences, near the Sea Coaſts, within every ſix Miles of Length,
" and one of Breadth; that fit Officers ſhould alſo be poſted
" within ſix Miles of one another, to raiſe and command the
" Country when Occaſion ſhould require; that if the ſaid *Reifar*
" *Edward* happened to invade the Kingdom in Perſon, he ſhould
" be reſiſted by our Sovereign Lord *in proper Perſon* at the Head
" of the whole Body of the Realm, *as they will live and die with*
" *his Highneſs in his Defence*; and if the ſaid *Reifar* did only
" ſend Wardens at the Head of his Army, that he ſhould like-
" wiſe be reſiſted by Wardens and Lieutenants ſufficiently im-
" powered for the Purpoſe". From this Statute, erroneouſly ſo called, (for it was only an Advice or Counſel given to, and approved by the King as expedient,) and indeed from all the other Statutes made, and Advices given by this Parliament, a late Author (*a*), whom I have often already confuted upon other Occaſions, has ridiculouſly pretended to prove, that the Power of making Peace and War was of old lodged in the Parliament, as if there ever had been, or could be a Parliament diſtinct from, and independent of the King, not conſidering that the Orders and Acts of this Parliament, and of all others, are really the Orders and Acts of the Sovereign who called them together; becauſe it is true he ſtood in need of their Advice as his Council, of their Money which he could not legally command without their own Conſent, and of a convincing Teſtimony of their Affections, in order to ſuppreſs that mutinous Spirit, which a diſloyal Party of the Nation had raiſed up againſt him. But that it was his Prerogative to make War, with or without their Conſent, is evident from this, that even that War, in which he was then engaged, had been commenced at leaſt a Year before they were called together: Nor did they offer to quarrel him upon that Score, notwithſtanding the diſadvantageous Reports ſpread abroad concerning his Intentions and Conduct, tho I am very far from denying that theſe Reports and the Faction by which they were ſpread, prevailed with his Prudence to communicate more of the Matter to the Parliament than perhaps he would otherwiſe have done. But that from his gracious or politick Condeſcenſion in that reſpect, it ſhould be concluded that the Power of making Peace and War was lodged in the Parliament, I ſee not a Reaſon. Neither will the Advices given him by his Grand Council (for ſuch the Parliament is and ought to be conſidered,) infer any ſuch thing as their having a Right to preſcribe Laws and Rules to their Sovereign; tho theſe Advices, when approved of, and conſented to by the Sovereign, become Laws, which he ought to obſerve, if he means either to reign in the Hearts of his People, or to be favour-

Antimonarchical Authors confuted.

(*a*) See the Hiſtorical Account of the Rights of the Parl. of Scot. p. 63, 64, &c.

ably heard at the Tribunal of God, to whom alone he is accountable. To be ſhort, whatever the Parliament legally called and authorized by the King, ordains or appoints, is the King's Order and Appointment; and therefore this King and Parliament, without ever dreaming that the Author I have cited, or any other would from thence aſſert, as he does (*a*), that Parliaments without the King's Concurrence (for no leſs is inſinuated,) had a Right to name and commiſſion Ambaſſadors about the Marriage of our Princes, Trade, War, *&c.* did adviſe, ordain and conclude that an honourable Embaſſy ſhould be ſent from them to the King of *France* and Parliament of *Paris*, to deſire that Monarch to aſſiſt his Brother, and Confederate, and his Realm now engaged in a War with their common Enemy of *England*, and to aſſure him that our *Sovereign Lord* has ever been, and will be ready to aſſiſt his *Brother-head* in the ſame manner. And in fine, to ſhew him that our Sovereign Lord has often written upon the Subject to him before, but has as yet received no Anſwer. A plain Proof, if I am not miſtaken, that the King of *France* was not the Incendiary or Author of the War, as our Writers aſſert. The Eſtates knew better things, they imputed it, as I have done, to the Ambition and Covetouſneſs of King *Edward*, encouraged and heightned by *the Traitor* James *of* Douglas (for ſo they call the exiled Earl *of* that Name,) and ſuch *untrue Perſons* as favoured and abetted his *treaſonable Practices*. They therefore emitted a Proclamation importing, "That whoever ſhould kill, or bring "the Perſon of the ſaid *James* to his Highneſs, ſhould, beſides "the King's moſt aſſured Favour, *Love* and *Tenderneſs*, be re- "warded with the Sum of 1000 Merks, and an heritable Eſtate "in Land, to the value of 100 Merks of yearly Rent; no mean "Encouragement as Money went then. That whoever ſhould "kill or take any Traitor of the ſame Party, ſhould have for a "Reward 20 *Lib.* if the *ſaid Traitor* was by his Birth a *Gentleman*, "and 10 *Lib.* if a *Yeoman*. That ſuch *Scotsmen* as would yet "abandon the ſaid *Traitor Douglas*, and return to their Allegi- "ance within 24 Days, ſhould have a full and free Remiſſion and "Forgiveneſs of their bypaſt Tranſgreſſions. That ſuch of "them as did not return to their Allegiance by the Time prefix- "ed, were never to hope for Favour or Grace. In fine, a gene- "ral Pardon was promiſed to the Borderers, and all other "Offenders within the Kingdom, except to ſuch Perſons as his "Highneſs had excepted, namely the *Traitor James of Douglas*, "*Alexander Jarding*, Sir *Richard Holland*, Mr. *Patrick Haliburton a* "*Prieſt* (and this is the firſt time that I read of Prieſts of the "Church of *Scotland* being engaged in Rebellion againſt the State,) "and to all other Traitors who had ſworn themſelves *Engliſhmen*, "and continued to remain in *England*.

A Proclamation againſt Traitors.

From

(*a*) P. 80, 81, &c.

From all this it is plain that the Parliament, or at leaſt a great Majority in the Parliament, were in no Degree diſaffected to the King's Perſon, his Quarrel or Government: Tho, it ſeems, they had their own Grievances, and took this Opportunity of repreſenting them to him; for which Reaſon he declared, that now he was fully convinced of the Sincerity of their Affections, his Majeſty would, with the Aſſiſtance of God, and the good Counſel of his Prelates and Lords, cauſe Juſtice to be impartially adminiſtred; in ſo much, that all his faithful Subjects ſhould find Matter of Comfort in the good Order of the Kingdom, and have Reaſon to rejoice at the Diſcouragement and Confuſion of the King's Enemies, and of all *falſe Traitours and untrew Hearts*. This was all the Satisfaction that could reaſonably be deſired of a King, and it was ſuch a Satisfaction as ſhews that he had formerly diſtruſted the Affections at leaſt of ſome great Men, and that ſome great Men grudged that he did not rule by their Advice; as alſo that, notwithſtanding theſe mutual Engagements between the Sovereign and Parliament, there was ſtill a formidable Faction of *falſe Traitours* and *untrew Hearts* within and without the Kingdom; a Faction, which at length prevailed, but not ſo ſoon as King *Edward* imagined. The Land Army which he had ordered to be in a Readineſs to attend him, had no Manner of Succeſs this Campaign, either becauſe he did not put himſelf at the Head of it, as he had promiſed, or that the Reſolutions taken in Parliament, and the good Order which was obſerved on the *Frontiers* of *Scotland* in Purſuance of theſe Reſolutions, diſconcerted his Meaſures. The Fleet which he had likewiſe appointed (*a*) to be fitted out early in the Spring, appeared, at what Time I know not, in the *Forth* (*b*) with many Souldiers on Board, who attempted to land at ſeveral Places, and to deſtroy, or lay both Sides of the River under Contribution; but being every where repulſed, except at *Blackneſs*, a little Village which they reduced to Aſhes, they contented themſelves with ſeizing upon eight Ships belonging to the Coaſt Towns, and ſo returned to *England*. Some time after, the ſame or another Fleet re-entred the *Forth*, but to no Purpoſe, the Towns on both Sides of it being yet better prepared than formerly for their Defence.

Gracious Declaration of the King to his Parliament.

King *Edward*'s Attempts upon *Scotland* ſucceſsleſs.

King *Edward* now found that open Force was not like to prevail againſt a Kingdom apparently better united within it ſelf, than the Earl of *Douglas*, and the other *Scots* Refugees at his Court had made him to believe; but he was very ſure that the Flame thoſe Men had raiſed, was rather covered than extinguiſhed, and reſolving to add Fewel to it, he endeavoured to reunite the broken and diſpirited Faction. With this View he gave a Commiſſion, dated at *Weſtminſter* the 2d of *June* (*c*), to Mr. *Patrick Halyburton*, (the ſame rebellious Prieſt who had been by the King and Parliament

(*a*) Fœd. Angl. Tom. 12. p. 139. (*b*) Ferrer, f. 394. Leſl. p. 308. (*c*) Fœd. Angl. Tom. 12. p. 140.

A Treaty between K. *Edward* and the Lord of the *Iſles*.

of *Scotland* excepted from the general Indemnity,) *Henry Pole* Captain of his Fleet, and *John Bain* Major of *Craigfergus*, to treat with and to conclude an Alliance between him and his *moſt dear Couſin* the Lord of the *Iſles* and Earl of *Roſs*, *his much beloved Couſin Donald Gorne*, and all the Couſins and Counſellors of the ſaid Earl. This is the laſt Time that I find any of that ancient and Princely Family engaged in Leagues, Wars or Rebellions againſt the Crown of *Scotland*; what Motives induced them to do ſo, and when, and upon what Occaſions they did it, I have not failed to acquaint my Reader, as often as unerring Records and uncontroverted Hiſtory directed me. Whatever may be ſaid for, or againſt the Pretenſions and Conduct of theſe noble and potent Lords, I muſt own that I have a vaſt Reſpect for, and feeling Senſe of the exemplary and untainted Loyalty, as well as Proweſs of their Poſterity, I mean the Clan and Sirname of *Mackdonald*, a Clan to this Day ſo numerous, ſo brave, and ſo generally well affected to the Monarchy, that in all thoſe Reſpects it is equalled by few, and ſurpaſſed perhaps by none in the Nation. I ſhall therefore, as my Cuſtom is, take this Occaſion to give a ſhort Account of the Antiquity, Alliances and Grandeur of that Houſe. The *Norvegian* Governors or Lords of the out-Iſles or *Ebudæ*, were, as I have often obſerved, called by the *Norvegians* and others Kings of the *Iſles*: The Daughter of *Olaus*, one of theſe petty Kings, was married to the famous *Somerled* Thane of *Argyle*, who in his Lady's Right became King of the *Iſles*. And this is the beſt Excuſe that can be given for his Revolt (*a*) againſt *Malcolm* IV. King of *Scotland*, about the Year 1165. He was ſucceeded by his Son *Reginald*, who proved more dutiful or more affectionate to the Crown of *Scotland*, and was the firſt Founder of the Monaſtery of *Sadil* in *Kintyre*, as appears from the Fundamental Charter ſtill extant in the Chartulary of *Paiſly*, wherein he is called *Reginaldus Somerledi de Iſle*. The ſame Charter is confirmed by his Son *Donaldus Reginaldi Somerledi* de *Iſle*, his Grandſon *Unguſius Donaldi Reginaldi* de *Iſle*, his great Grandſon *Alexander Unguſii Donaldi*, and laſtly, by *John* de *Iſle* the laſt Earl of *Roſs*. The laſt mentioned *Alexander* did the Nation a Piece of Service, that ought never to be forgotten; for he it was, who in 1306, gave Protection and Sanctuary within his Iſland of *Raughrine* (*b*) to the immortal King *Robert Bruce*, when all others who were willing could not, and they who were able would not ſo much as own his Title, much leſs skreen his Perſon from the Prevalency of his victorious Foes. *Angus* the Son of *Alexander*, was not behind with his Father in Courage or Loyalty to the *Brucian* Cauſe. He was preſent at (*c*) and very active in the glorious Battle of *Bannockburn*. He was ſucceeded by *Angus* his Son, whoſe Tutor *Reginald de Inſulis*, the Anceſtor, as I am informed, of . . . *Mackean* Laird of *Ardmarchen*, was killed at *Perth* by the Earl of *Roſs*,

Short Account of the Sirname and Clan of *Mackdonald*.

(*a*) See the firſt Vol. of this Work, p. 247. (*b*) Vol. I. p. 577. (*c*) Hiſt. of King Robert Bruce.

Roſs, during the Reign of King *David* II. and henceforth they of that Family proved loyal and diſloyal by Turns: For, as we find ſeverals of them expreſly comprehended in ſolemn Treaties, as Allies of the Kings of *England*, in Conjunction with Emperors, Kings and Sovereign Princes therein mentioned; ſo it is alſo certain, as appears from a Grant of King *Robert* II. to *John* de *Iſle* his Son-in-law, that one of them ſo called, had the Honour to marry a Daughter of that Monarch: And I am told, that from this Royal Match the noble Family of *Antrim* in *Ireland*, Sir *Ronald Mackdonald*, *Largy*, *Sanda* and *Keppoch* are deſcended; how truly I cannot be poſitive. *Donald* the eldeſt Son of *John* became Earl of *Roſs* in Right of his Wife the Heir of that Houſe; and he it was who fought the Battle of *Harlaw* againſt *Robert* Duke of *Albany*, in 1411. His Grandſon *John* was moſt juſtly forfeited by King *James* III. for the Reaſons I have related, and moſt bountifully reſtored, as I have alſo related, to the Lordſhip of the *Iſles*, and a great many other Lands mentioned in a Charter ſtill extant, which I have ſeen, and which is dated at *Edinburgh* the 16th of *December* 1478, the nineteenth of his Majeſty's Reign. By this Charter it appears, that his lawful Heirs Male to be begotten of his Body, were to ſucceed him, and they failing, his natural Son *Angus*, and the lawful Heirs Male of his Body, who alſo failing, his other Heirs Male. Accordingly *Angus* his natural Son did, as I am credibly informed, ſucceed him, but was murdered by a Harper during the Lifetime of *John* his Father, leaving his Lady big with a Male Child behind him, in whoſe Perſon the Title of Lord and Fortune of that Family determined. By whom it is now repreſented, I ſhall not take upon me to determine. *Alexander Mackdonald* of *Glengary* and the Captain of *Clanronald*, two Gentlemen of eminent Worth, have their different Pretenſions, into which I have not ſufficiently inquired; but am very ſure that *Hugh* the noble Anceſtor of that eminently loyal and zealous Patriot Sir *Donald Mackdonald* of *Slate*, was the lawful Brother of *John* the laſt Earl of *Roſs* and Lord of the *Iſles*; for I have ſeen a Charter dated at *Aros* in *Mull*, in the Year 1449, granted by *John Earl of Roſs* and *Lord of the Iſles*, to his *moſt dear Brother Hugh the Son of Alexander* Lord of *Slate*; and this Charter, wherein moſt of the Lands ſtill poſſeſſed by Sir *Donald* are enumerated, was confirmed by King *James* IV. at *Stirling* the 10th of *November* 1495. But I leave thoſe Matters to be handled at more length by others, it being my Province, Purpoſe and Promiſe, to give only a general Idea to my Reader, of the Riſe, Fall and Standing of ſuch Men and Families, upon whoſe Actions I have moſt Occaſion to enlarge.

Now, whether the Lord of the *Iſles* (for he was no more Earl of *Roſs*,) was ſo ungrateful as to enter into the propoſed Alliance

againſt his merciful Benefactor and lawful Sovereign King. *James* with King *Edward* a Foreign Prince, by whom he had formerly been debauched into the like unjuſtifiable and ruinous Meaſures, or if he honeſtly reſiſted the glittering Temptation, as is moſt probable, I cannot tell, but am ſure that King *Edward* had all the Succeſs he could have wiſhed for in his other Endeavours to the ſame purpoſe. And now it is, that in purſuance of my Promiſe, I ſhall begin to unravel the Intricacies of thoſe dark Times, never before brought to Light, and to lay open the ſecret Springs of thoſe Villanies, which being juſtified, nay praiſed by ſome, and in a great meaſure excuſed, as neceſſary, by others, are to this Day made Precedents and Examples for the Nation to imitate; as if, becauſe a great part of the degenerated Nation was about 240 Years ago without any unqueſtionable Precedent, and contrary to all Law and Reaſon, as well as the conſtant Practice of at leaſt twelve Generations before, ſo fooliſh, or ſo wicked, as to be cheated, or bribed, or frightned into plain and palpable Rebellion, we had thereby acquired a Right to lie, and trick, and bribe, and preach, and ſtarve, and force our Country-men into an eternal State of Contention, if not Enmity with our Sovereigns, into endleſs Reformations of Church and State, continual Revolutions, and their neceſſary Attendants or Conſequences, Wars foreign and domeſtick, Poverty, Rapine, Murder, and Regicid. I ſay, that I am now to diſcover the ſecret Springs, and to point out the hitherto in a great meaſure concealed Actors of thoſe villanous Precedents, upon which Men of the like Principles lay ſo much Streſs. The Duke of *Albany* being for his former Crimes (for his afterones will ſhew that his firſt Steps were not probably innocent,) driven, in the manner I have related, from *Scotland*, retired to *France*, where he uſed all means to perſwade King *Lewis* of the Injuſtice done him at Home, and begged Aſſiſtance, ſay our Authors (*a*), towards recovering by Force what even the King of *France* could not obtain in his Favour by Entreaty. But that Monarch was endued with too much Wiſdom, and lay under too many Obligations to the King and Kingdom of *Scotland* to comply with ſuch an unreaſonable Requeſt; yet did what he could to make the Exile of the young Prince as comfortable to him as was poſſible: For, being certainly informed that he had been legally divorced from his firſt Wife the Daughter of the Earl of *Caithneſs* or *Orkney*, that is, that their irregular Marriage had been declared null and void, as that of the Lord *Boyd* and Princeſs *Mary* had been ſome Years before, he had the Bounty to give him another Wife, who was the Daughter of a great Man the Earl of *Bulloign*, and with her ſuch a Fortune, as, if any private Fortune could have ſatiated the Ambition of the aſpiring Duke, would have made him perfectly happy, the rather, becauſe he had a moſt hopeful

The Duke of *Albany* divorced from one Wife, marries another in *France*.

(*a*) Hawthor. p. 139, 140, &c. Leſl. p. 307, 309, 310, &c. Buchan. p. 428, 429, &c. Ferrer. f. 395, &c.

hopeful Son by this Lady, *John*, afterwards Duke of *Albany*, and Governour of *Scotland* during the Minority of King *James* V. whoſe apparent Heir, failing his own Children, he was by an Act of Parliament ſtill extant declared to be, and if his Pupil had died without Iſſue would have ſucceeded him in the Throne, notwithſtanding the Abbot of *Incheffray* and Biſhop of *Murray*, his eldeſt Brother by the Earl of *Orkney*'s Daughter, was alive; but, in regard of the Divorce of his Mother, confeſſed himſelf illegitimate. I have mentioned this by the by, to ſhew the Miſtake of thoſe, who ſay that the Earl of *Orkney*'s Daughter, the firſt Wife of *Alexander* Duke of *Albany*, was dead, when he proceeded to a ſecond Marriage. Neither is it true, that his ſecond Wife, the Daughter of the Earl of *Bulloign*, had left this World, as *Leſly* and others have told us, when the Duke left *France* and came over to *England*. No doubt King *Edward* invited him thither for the Ends and Purpoſes I ſhall juſt now relate. Nay, it is probable that he was watched narrowly by the ſuſpicious King *Lewis*, whoſe piercing Wit ſoon reached the Depth of his Deſigns; and that being regardleſs of the Favours received, or Pledges left behind him, I mean his Lady and Son, he ſtole away rather than withdrew from that hoſpitable Climate: For I find that he came over in an *Engliſh* Ship (*a*) named the *Carvelle* or *Michel*, and that one *James Douglas*, a *Scots* Refugee, who, I have Reaſon to believe, durſt ſcarcely own his Name in *France*, was Maſter or Captain of that Ship. *James Douglas* was liberally rewarded for his Pains and Danger; and the Duke no ſooner arrived at the *Engliſh* Court, but he entred into ſuch an Agreement with King *Edward*, as is, in my Opinion, alone ſufficient to vindicate the whole Reign of King *James* from the Miſrepreſentations (to ſay no worſe) of all Authors of Name, but *Hawthornden* alone, who tho, by Means of his great Reading and Knowledge of Men and Things, he gueſſed at the Truth, yet was not able for want of convincing demonſtrative Memoirs to ſet it in its genuine Light. The Agreement which I have mentioned was made at the Caſtle of *Fotheringay*, on the 10th and 11th of *June* 1482 (*b*); an Agreement in all Reſpects ſo ſurpriſingly monſtrous, that did not many Inſtances of the like improvident Injuſtice committed by Sovereign Powers, ſo frequently occur in Story; and if the Experience of later Ages did not teach us, to what Exceſs of Wickedneſs the Hearts and Souls of Men, when once engaged in Rebellion, are capable to proceed, I could not be induced to believe it, even upon the Faith of Records, tho otherwiſe unexceptionable. From theſe Records we find that the Duke of *Albany* called himſelf *Alexander* King of *Scotland*, (not by the Grace of God, to whom indeed he did not owe that Title,) but *by the Gift of the King of* England, a Stile never uſed by either of the *Baliols*, nor urged upon them, as daſtardly as they were

Comes privately from *France* to *England*.

A. D. 1482.

Enters into an abominable Treaty with K. *Edward*.

(*a*) Fœd. Angl. Tom. 12. p. 154. (*b*) Ib. p. 156.

were, by any of the *Edwards*, and that as ſuch, "He obliged "himſelf and his Heirs to aſſiſt with all his Power King *Edward* "and his Heirs, in all his Quarrels, and againſt all earthly Princes "or Perſons; to ſwear Fealty and do Homage to the ſaid King "*Edward* for the Crown of *Scotland*, within ſix Months after "his being put in Poſſeſſion of the moſt Part of the Kingdom; to "give up the Town and Caſtle of *Berwick* to the Crown of *Eng-* "*land*, as alſo the Caſtle of *Lochmaben*, and Countries of *Lidſdale*, "*Eskdale* and *Annandale*, fourteen Days after his being conduct- "ed by the *Engliſh* Army to *Edinburgh*; to break, renounce and "diſclaim the old League between *Scotland* and *France*, and never "to renew the ſame. Laſtly, if he could make himſelf clear of all "other Women, (a Teſtimony that his Lady was not yet dead,) "according to the Laws of the Chriſtian Church, within a Year, "or ſooner, to marry the Lady *Cecil* King *Edward*'s Daughter, "the ſame who was contracted, and by Proxy already married "to his Nephew the Duke of *Rotheſay*; and if he could not by "the Laws of the Church get free of other Women, not to ſuf- "fer his eldeſt Son and Heir to be married, but by the Order of "the King of *England*, and to ſome Lady of his Blood". On the other hand, King *Edward* "Obliged himſelf to aſſiſt the ſaid *Ale-* "*xander* towards reducing the Kingdom of *Scotland* to his Obe- "dience, and to ſupport him in it againſt *James now holding the Crown* "*of that Realm*". It would be an Injury done to the Judgment of my Reader, if I ſhould make any Enlargements upon this Treaty, to convince him how foul a Part King *Edward* acted in it, or how ungratefully, unnaturally and impiouſly the Duke of *Albany* entred into it, with reſpect to King *Lewis* his Benefactor, King *James* his Brother and Sovereign, the Duke of *Rotheſay* his Nephew, the Dutcheſs his own Wife, the young Prince his Son, and to *Scotland* his native Country. Yet he did enter into it with all the Cheerfulneſs and Earneſtneſs imaginable, as his after-Conduct will evince. Nor was that ſcandalous Tranſaction kept ſo ſecret at the Time, but that it came in ſome Meaſure to the Knowledge of Biſhop *Leſly*, who tells us in expreſs Terms (*a*), that King *Edward* gave many Aſſurances to the Duke of *Albany*, that he would make him King of the *Scots*. But *Buchanan* (*b*), never willing to lay open the moſt criminal Deſigns of Rebels, till they come to be crowned and made lawful by Succeſs, ſays, that this was a Calumny that had no other foundation in Truth, but the Malice of the Duke's Enemies, and the unrelenting Reſentment of the King. Well! Thanks to kind Providence and ſlow-paced Time, we now know what is to be believed upon the Matter.

Buchanan confuted.

It cannot be doubted, but that the Duke's Friends and Aſſociates in *Scotland* were with all Expedition let into as much of the Myſtery as it was fit or neceſſary for them to know, and we ſhall

(*a*) p. 309. (*b*) p. 433.

ſhall ſee by and by, that they made very good uſe of the Intelligence which they received. In the mean time King *Edward*, eager to begin the Work, and thereby to furniſh others with means to compleat it, two Days (*a*) after the Concluſion of the Treaty with the Duke of *Albany*, appointed his Brother the Duke of *Gloceſter* to command in his own abſence, the Army which was forthwith to march into *Scotland*. The two Dukes marched ſtreight to *Berwick*, which they beſieged, while King *James*, upon Advice of their approch (*b*), made all the haſte he could to relieve that important Frontier. He was at the head of an Army equal, if willing, to the Service intended; but that Army, at leaſt a Majority of the great Men in it, was before hand entirely debauched from all their paternal Principles of Honour and Loyalty, ſome by a direct Correſpondence with the Duke of *Albany*, the Earl of *Douglas* and their Accomplices in *England*; and others by the Influence and ſpecious Pretences of thoſe of the ſame Party in *Scotland*. The *Scots* Army lay at *Lawder*, a Town in the Confines of *Merſe* and *Teviotdale*, when the Earls of *Angus*, *Lennox*, *Huntly* and *Buchan*, the Lords *Gray*, *Lyle*, &c. after many private Conſultations, reſolved upon one of the moſt undutiful and worſt timed Actions that was ever committed by Subjects. Some of theſe, as the Earls of *Huntly* and *Lennox*, tho diſcontented by reaſon of the King's diſfavour to the Nobility, and too much Familiarity with certain Perſons of mean Birth and no great Parts, were certainly no ill Men upon the main, as will appear by their after-Conduct, and therefore muſt be ſuppoſed to have been put upon by the Craft of the Earl of *Angus*, the Lord *Gray*, and ſuch others as deſigned no leſs than to dethrone the King, and to diſinherit his Poſterity. What it was that induced the Earl of *Angus* to be inſtrumental in ſo much Wickedneſs, is uncertain. His Father Earl *George* had been highly indebted to the royal Favour, having, for his dutiful Oppoſition to the Earls of *Douglas*, obtained a great part of their Eſtate; and Mr. *Hume* of *Godscroft* tells us in the Life of this Earl *Archibald*, that, tho he was married with *Elizabeth*, a Daughter of the Lord *Boyd*, yet he was far from being involved in the Ruin of that Family: But it ſeems, that his Lady prevailed with him (tho his Intrigues with other Women ſhew that he was not Uxorious,) to reſent the Quarrels of her Kindred. Whatever was the Provocation or Incitement which he received, to him I muſt chiefly aſcribe, as *Buchanan* and *Godſcroft*, his Admirers and Panegyriſts have done before me, the Glory, as they reckon it, of the bold unprecedented Attempt which I am about to relate. Theſe Authors have been pleaſed to put a long and elaborate Speech in his Mouth, ſhewing the Neceſſity and Juſtice of it, and concluding with an Exhortation to ſhake off *the Yoke of Servitude at Home, before entering into Fight*

The Dukes of *Albany* and *Gloceſter* invade *Scotland*.

The *Scots* Army debauched.

Buchanan and *Godſcroft* cenſured.

(*a*) Ib. p. 157. (*b*) Holinſhed, p. 403, 404. Ferter. Buchan. Leſl. Hawthor. Loc. ſup. cit.

Archibald Bell the Cat Earl of *Angus*, a notorious Rebel.

with the foreign Enemy. A very prepoſterous Method of doing Buſineſs, in the Opinion of all, but thoſe, who, like the Authors I have mentioned, are predetermined to applaud all the Outrages that poſſibly can be done to royal Authority; yet ſuch as, they ſay, was received with the univerſal Approbation of all preſent. Upon which the Lord *Gray* deſiring to be heard, told them the Apologue of the Mice, "Who conſulting in a publick "Meeting how to be free from being ſurprized by the Cat, "found out a very good way, which was to hang a Bell about "her Neck, that would ring as ſhe ſtepped, and ſo give them "warning of her Approach: But, added he, when it came to "be queſtioned, who would undertake to faſten the Bell to "the Neck of the Cat, there was never a Mouſe durſt promiſe "ſo much upon his own Courage." The Earl of *Angus* immediately took the Thought, and anſwered, *I will Bell the Cat.* Which bold Anſwer begot him the Name or Appellation of *Archibald Bell the Cat*; and the truth is, he very well deſerved it.

Who with others his Aſſociates ſeize upon the King's Servants, and

For the King being awakened from his Sleep, and informed that the diſaffected Lords were together in Conſultation hard by his Lodgings, and very early in the Morning he ſent one of his domeſtick Servants *Robert Cochran* to enquire what was the Matter: But as ſoon as *Cochran* came nigh to the Place, the angry Earl laid hold on his Perſon, and pulling a Chain of Gold which he wore, from his Neck, told him, that ere long he ſhould get another Chain more becoming his Quality and Conduct. Then they went altogether, armed as they were, into the King's Apartment or Tent, ſeized upon five or ſix more of his Servants, namely *Thomas Preſton*, Sir *William Roger*; *James Hommil*, *William Torfiſan*, and one *Leonard*. This done, they upbraided him to his Face with keeping ſuch Miſcreants as theſe about him, neglecting his ancient Nobility, coining of Copper-money, entertaining a Courtezan call *the Daiſy*, baniſhing one of his Brothers, and putting another to Death. To be ſhort, they thought they did him a great Favour

kill them.

in not forcing from him his principal Favourite *John Ramſay*, who claſped his Arms about his Majeſty's Perſon, as the only means he had to preſerve his Life; all the reſt they cauſed to be hanged immediately over the Bridge of *Lawder*. *A very remarkable and rare Example*, ſays *Godſcroft* (*a*), *of Careſulneſs of the Commonwealth, joined with all Modeſty, Love and Dutifulneſs towards their King. Their Behaviour*, adds he, *was juſt ſuch as Lawyers preſcribe in the like Caſes, who accounting the Perſon of the Prince ſacred, do allow that their wicked Counſellours be taken Order with.* Good God! What is it that Men of ſuch Principles will not juſtify? And what Law did ever allow Subjects to force their way with Arms in their Hands to their Maſter's Bed-chamber, to reproach him not only with his pretended Mal-adminiſtration, but alſo with his perſonal

(*a*) P. 227.

perſonal Infirmities, and without any Form of Proceſs by their own Authority to put his domeſtick Servants to a violent Death? It was indeed more than the King himſelf could have legally done in any of their Families; and what would have been thought the higheſt Act of Power, nay of plain palpable Tyranny in the King, had he attempted any ſuch Thing, without obſerving the ordinary Forms, is called a *rare Example of Carefulneſs of the Commonwealth, joined with Modeſty, Love, Duty*, and what not, in his Nobles! What Care theſe worthy Patriots did take of the Commonwealth, we ſhall ſee by and by; in the mean time it may not be thought amiſs to enquire how far the King and his Servants did really deſerve to be blamed for thoſe Things, with which the Nobility pretended to be ſo much, and ſo juſtly offended. The King kept a Miſtreſs: If he did ſo, it was certainly a Fault, and ſo much the greater, becauſe all Authors tell us, that the Queen his Wife was a moſt charming Perſon, of incomparable Beauty, exemplary Virtue, and moſt tender affection towards her Husband; but there is a certain Inclination to Variety of Affections interwoven with the Conſtitutions of moſt Men, eſpecially Princes, whoſe Hearts every Coquet at Court makes it her Buſineſs to captivate: And what Prince but this was ever quarrelled for his Amours, by Men whoſe Lives, I doubt, were very far from being ſquared by the ſtrict Rules of rigid Innocence? He had baniſhed one of his Brothers, and put another to Death; if he did ſo, I have evinced that he had very good Reaſon. But that was a Crime not to be pardoned by ſuch of the Cabal, (for I do not believe that they were all upon the Plot,) as were induced for their own private Ends to dethrone him, and to ſet up his Brother in his Room, an Uſurper under whoſe Government they hoped to engroſs all Honours and Preferments to themſelves and their Copartners in Villany. He had cauſed Copper-money to be coined: Yes indeed, but he had an Act of Parliament (*a*) for his Warrant; and the Reaſon given by the Parliament for that Act is, that *the King's Lieges* might be eaſed, Alms given to the Poor, and Payment made more conveniently for Bread, Ale, and ſuch other Things as were of ſmall Value, but neceſſary Uſe. It is true that the People who had hitherto been unaccuſtomed to receive that Sort of Money, were not eaſily brought to take it as good Coin, and that it was looked upon as a Grievance by them; and the King, as *Ferrerius* tells us, did deſign of his own accord to comply ſo far with their Humour, as to ſuppreſs the Courſe of his *black* Money, (for ſo it was called;) but refuſed to do it out of a juſt Indignation at the Inſolence of his Nobles, when, inſtead of remonſtrating their Grievances with Modeſty, as the Parliament it ſelf had ſucceſsfully done not long before, they preſumed to ſend peremptory Orders to him, and to dictate the Terms upon which they would defend him and his

The King vindicated from the Aſperſions caſt upon him by the Mal-contents.

(*a*) Black Acts, f. 47. cap. 12.

Kingdom againſt the invading Enemy: An ungenerous and diſloyal Meſſage, ſays the ſame Author, which in that Conjuncture of Circumſtances and Time, was by no Means to be complied with. But he neglected his ancient Nobility, ſuffering himſelf to be over-ruled and miſled by contemptible Upſtarts, Fellows of no Birth, and leſs Honeſty, ſuch as *Robert Cochran*, who from the Employment of a Maſon, was raiſed to the Quality of a Peer, being dignified with the Title of Earl of *Marr*; *James Hommil* a Taylor; *William Roger* a Muſician; *Leonard* a Smith; *Torfifan* perhaps a Fencing-maſter, at leaſt one that was famed for nothing but his Dexterity in the managing of Arms; and *Thomas Preſton* and *John Ramſay*, who, tho they were both well born Gentlemen, yet did in no Degree merit ſo large a Share in the Affections and Familiarity of the King, as they enjoyed. I muſt acknowledge (for I aim at nothing but Truth,) that all Authors, and among the reſt Biſhop *Leſly*, do ſeverely cenſure this King *James* III. for entertaining and preferring Men of mean Birth, and worſe Conditions, to the Excluſion of thoſe, who by their Quality and Fortunes, were entituled to Places of Truſt, Honour and Profit; and yet it is to me ſome Matter of Wonder, that in all the Records of thoſe Times, which I have had Occaſion to peruſe, (and I have peruſed a great many of them,) the Names of thoſe mean Perſons do not occur. On the contrary, I always find the Clergy, Nobility and Barons acting the uſual Parts of their Predeceſſors, negotiating Treaties, meeting at Congreſſes, commanding in Caſtles and Towns, guarding the Marches, and diſcharging their ſeveral Offices of Chancellor, Keeper of the Privy Seal, Juſtice General, Treaſurer, Chamberlain, *&c.* A convincing Proof that they were not excluded, as is pretended, from the Adminiſtration of Affairs. But that the Nobility in general, and more eſpecially the greateſt Families among them, were not in ſo great Favour at Court, as they had been in ſome former Reigns, I verily believe. This King ſaw the Error of former Reigns; he could not but know from the Experience of his own Minority, as well as that of his Father and Grandfather, how dangerous the exceſſive Greatneſs, Power and Combinations of private Subjects had been, and were like to be to the Crown. The Earl of *Douglas* had been forfeited by his Father, but he was ſtill alive, and indefatigably active in his Purſuit of Revenge upon the Son, never ceaſing to infuſe by his ſecret Emiſſaries his own Paſſions into the Breaſts of his Relations, and he had as many Relations as there were noble Families in the Kingdom. The *Boyds* had alſo been forfeited, but a Daughter of the Lord *Boyd* lay in the Bed of the Earl of *Angus*, and what Influence a cunning revengeful Wife may have upon the Mind and Conduct of her Husband, is very well known. The Earl of *Roſs* had been ſo deeply engaged by his League with King *Edward* againſt King *James*, that he could never think himſelf

ſelf ſecure without a total Revolution of the Government. And it is probable that theſe great Men, the better to effect their own Purpoſes, found Means to debauch the Duke of *Albany* and the Earl of *Marr*; and the Duke of *Albany* being married, or ſuppoſed to be married with a Daughter of the Earl of *Orkney*, drew this laſt, and his very numerous Dependants and Kindred into the Conſpiracy; ſo that the King had all the Reaſon in the World to have a watchful Eye over his Nobiliy; but not being able to penetrate into the Depth of their Counſels by his own Eyes, without the Aſſiſtance of others, he could not chuſe but to employ ſuch Perſons about him, as muſt needs depend entirely upon his Safety, and of whoſe Worth he had a very good Opinion, it may be not undeſervedly. Some of them, as *Preſton* and *Ramſay*, are acknowledged to have been Gentlemen by their Birth. It is probable that *Cochran* was ſo too, his Sirname at leaſt beſpeaks him one, for it is very ancient among us; and tho he is contemptuouſly called a Maſon, as having been bred in the Knowledge of Architecture, who knows but he might have been of very good Extraction? And being made Surveyor of the Royal Buildings, and in that Station found to be a Man of Senſe, Courage and Honeſty, it is no great Wonder that the King honoured him with ſome Truſt, and particularly with collecting and managing the Revenues of the Earldom of *Marr*. But that he was made an Earl by that Name, I do not believe; the rather, becauſe even *Buchanan* (*a*) does not poſitively aſſert it. But why *William Roger*, an eminent Muſician and a Foreigner, ſhould not be made a Knight, or why the King who loved him, ſhould have been quarrelled upon that Account, I can ſee no Manner of Reaſon: Nor was he to be blamed, if he had put the ſame Honour upon ſuch other Artiſts, as by their Eminency in their ſeveral Employments, were like to make foreign Manufactures ſuperfluous in *Scotland*. The Truth is, ſome of the Nobility had a mind to favour the Invaſion of the *Engliſh*, and thereby to effect the Ruin of their King; but that was not to be done without a Quarrel, and ſuch a Quarrel as the reſt of their Rank would, out of Emulation and Appetite of Power, be induced to concern themſelves in. So theſe unfortunate Favourites, whoſe Vigilance was too piercing, and too importunate to be endured, were made Sacrifices to the Pride of thoſe who meant beſt, and to the Treaſon of others who were reſolved upon the very worſt. Well! what came of it? Did theſe Patriots, after having *ſhaken off the Yoke of Servitude at Home*, ſet themſelves in the next Place to drive the Enemy from their Borders? Alas! they had a mind to do no ſuch Thing: On the contrary, they wanted to ſee them in the Bowels of their Country; for the Army that ſhould have oppoſed their Progreſs, being ſtruck with Amazement, Confuſion and Terror, was immediately diſbanded, and the injured King obliged

The *Scots* Army diſbanded.

(*a*) p. 431.

liged to retire to a Place of Safety. The Caſtle of *Edinburgh* was then thought impregnable, and the City was loyal to Admiration; two Reaſons that might probably induce his Majeſty to ſhut himſelf up in that Fortreſs, till it ſhould plainly appear who were his Friends, and who were not: Tho others ſay, that a Faction of the Nobility, without any regard to his own Election, or Inclination, conducted him thither, and detained him in Reality a Priſoner, but paid him all the outward Appearances of Reſpect and Duty; in ſo much, that all Proclamations were iſſued out in his Name, when at the ſame Time no Body was allowed to ſpeak with him but in the Preſence of the Earl of *Athole* his Uncle and principal Keeper, or ſome other intruſted by the governing Party. What Truth may be in that I cannot preciſely determine, but am confident that that Party did their Duty upon the main, tho perhaps in ſuch a Manner, as ought not to be drawn into a Precedent: For by keeping the King in that neceſſary, and, I believe, to himſelf agreeable Reſtraint, they prevented his falling into the Hands of a worſe Sett of Men, who would certainly have ſacrificed him, as they had done his Servants, to the Deſigns in hand; and what theſe Deſigns were, and how deeply laid, as I have already ſhown from authentick Records, I ſhall again relate in a more proper place. Till then I entreat that my Reader will ſuffer himſelf to be led with Equanimity through theſe Labyrinths of Darkneſs and Horrour, which former Authors for want of the Light of Records could never trace.

The King ſhut up in the Caſtle of *Edinburgh*.

Matters ſtanding thus in *Scotland*, it was an eaſie Task for the *Engliſh* Army to enter it. Accordingly the two Dukes of *Gloceſter* and *Albany*, leaving the Siege of *Berwick* to be carried on by a competent Number of Souldiers, under the Conduct of the Lord *Stanley*, Sir *John Erlington*, and Sir *William Parr*, advanced with the main Body as far as *Edinburgh*. As they met with no Oppoſition (*a*), ſo they did little or no Harm on their Way, their Deſign being rather to oblige the People by Courteſy, than to exaſperate them by Hoſtilities. When at *Edinburgh*, they behaved themſelves with the ſame Moderation, the Duke of *Albany* leaving nothing undone or unſaid that might contribute to make him to be as much loved, as he thought the King his Brother was hated by the generality of his Subjects. But he was miſtaken; a formidable Power of true-hearted *Scotſmen* appeared within a few Days at *Haddington*, who, tho they were not able to give Battle to the *Engliſh* Army in the open Fields, yet were likely to cut off their Convoys and to make their Retreat equally neceſſary and dangerous. Theſe Conſiderations begot a Treaty between ſome *Scots* Patriots (for the King himſelf was ſtill in Reſtraint,) and the two Dukes. The Patriots I ſpeak of, were *William Scheves* Archbiſhop of St. *Andrews*, *James* Biſhop of *Dunkeld*, *Andrew Stewart* Lord

The *Engliſh* Army marches to *Edinburgh*.

A Treaty between the *Scots* and *Engliſh*.

(*a*) Ferrer, p. 396.

Lord *Evandale* and Chancellor of *Scotland*, and *Colin* Earl of *Argyle*, Lord *Campbel* and *Lorn* (*a*), who on the 2d of *Auguſt* 1482, "Bound and obliged themſelves *to a noble and mighty Prince* Alexander *Duke of* Albany, (I make as much uſe of the Words of the "Record as I can,) that if the ſaid Duke did keep his *true Faith* "and Allegiance to their Sovereign Lord *James* King of *Scotland* "and his Succeſſion, and made uſe of his Authority to no other Ends "but ſuch as were conſiſtent with Juſtice and *good Rule*; and "if he obſerved *his Faith, Lawtie, and Bond to them*, and to the "remnant Lords of the Realm of *Scotland*, as they would do to "*his Mighty Lordſhip*, he ſhould upon theſe Conditions be free "from *all bodily harm*, and they ſhould prevail with their Sove- "reign Lord to reſtore him the ſaid Duke, to all the *Lands, Heri-* "*tages, Strengths, Houſes and Offices* which he enjoyed when he "left the Kingdom: As alſo, that their Sovereign Lord ſhould "give and grant to him, and to all Perſons engaged in his Ser- "vice (excepting thoſe who had been excepted by the King's "*Highneſs* his laſt Proclamation made in Parliament,) a full In- "demnity and Remiſſion of all Crimes committed by them at "any time bypaſt, but more particularly of his or their Endea- "vours to obtain the Crown of *Scotland*, provided always that "henceforth they ſhould behave themſelves as true Lieges. They likewiſe undertook for the King, that he ſhould ratify the Treaty in his next Parliament, a Treaty, which, conſidering Circumſtances, was not to be rejected, eſpecially ſince the King's Authority was aſſerted and ſubmitted to, and the grand Architect of all the Miſchief, I mean the Earl of *Douglas*, excluded from the Benefit of it. It is true, that the Duke of *Albany* being thus reſtored to all the Favour, Eſtate and Honours which he could claim by his Birth, tho he had forfeited them by his Rebellion, ſeemed rather to give than to receive the Law. But as that Circumſtance is a full Vindication of the King's after-Conduct, ſo it infinitely heightens the Injuſtice and Perfidy of that of the Duke and his never enough to be condemned Accomplices. The next Day after this Agreement was made between him and the abovementioned Prelates and Lords, *William Bartraham* Provoſt of *Edinburgh* (*b*), and with him the whole Fellowſhip (as they are called in the Record,) of Merchants, Burgeſſes and *Community* of the ſaid Town, "Loyally and generouſly obliged themſelves to "repay to the King of *England* the Sums of Money deburſed by "him in View of the Marriage between the Duke of *Rotheſay* and "his Daughter the Lady *Cecil*; or if the ſaid King did yet "incline that the Marriage ſhould be completed, they under- "took for the King of *Scotland* their Sovereign Lord, that he "ſhould concur conformably to his former Obligations, provid- "ed that their ſaid Sovereign Lord, or the Lords of his Council,

The Duke of *Albany* reſtored to his Eſtate and Honour.

Remarkable Loyalty of the Town of *Edinburgh*.

(*a*) Fœd. Angl. Tom. 12. p. 161, 162. (*b*) Ibid.

" or they the ſaids Provoſt and Merchants were informed of the
" King of *England*'s Pleaſure and Election upon the Matter, by
" the Feaſt of *All Saints* next to come.

A Match agreed to between the Earl of *Rivers* and Princeſs *Margaret*.

At the ſame time, if not before, another Marriage was ſo far agreed to between *Anthony* Earl of *Rivers* and Lord of *Scales* the Queen of *England*'s much beloved, but afterwards unfortunate Brother, *and the moſt ſerene Princeſs* the Lady *Margaret*, Siſter German to the moſt excellent Prince *James* King of *Scotland* (*a*), that on the 22d of the ſame Month of *Auguſt*, King *Edward* granted a Paſs, or ſafe Conduct to the Royal Bride, expecting, no doubt, that ſhe would inſtantly ſet out for *England*: But ſhe did it not; and I have taken Notice of the Record, the rather, becauſe I find by it, that King *James* was at that time called by King *Edward*, his moſt dear *Brother and Couſin*; which ſhews, that before the 22d of this Month a Truce muſt have been concluded, theſe Appellations being too friendly to be given by one Prince to another in time of War. And yet our Authors tell us, that the Caſtle of *Berwick* was not ſurrendred till the 24th, the Governour of it *Patrick Hepburn*, Lord of *Hales*, having defended it with great Courage and Skill, long after the Town had been in ſome meaſure betrayed into the Hands of the Duke of *Albany*, who, upon the firſt Approach of the *Engliſh* Army to the Borders, found means to get into it. From thence it follows, that the Duke of *Gloceſter* did either violate the Truce after his Retreat from *Edinburgh*, or, which is more probable, that the Caſtle of *Berwick* was excepted from the Benefit of the Treaty. And thus we ſee, that the Duke of *Albany* made good that part of his Engagement to King *Edward*. It was good that he could not alſo make good the reſt, for then the Caſtle of *Lochmaben*, and Countries of *Lidſdale*, *Eskdale* and *Annandale* would have been alienated from the Crown of *Scotland* as well as *Berwick*, nay, the Crown itſelf would have been ſubjected to that of *England*. At ſo dear a rate, were the Enemies of the King willing to purchaſe his Overthrow. But ſince their firſt Attempts had not been ſo ſucceſsful as they had reaſon to expect, they muſt diſſemble till another Opportunity ſhould be offered. Indeed the Duke of *Albany* did it to Admiration.

Berwick ſurrendred to the *Engliſh*.

He had not Acceſs at firſt to the King's Preſence, but he went to *Stirling* where he waited upon the Queen and Duke of *Rotheſay*. The former, it ſeems, believed that the King her Husband was really a Priſoner, and therefore begged of the Duke that he would work his Delivery. The Duke, ſay all our Authors (*b*), undertook to do ſo, for which they extoll his good Nature and Generoſity to the Skies; when, God knows! he deſerved nothing but Infamy and Reproach. They ſay that he returned ſecretly to *Edinburgh*, and with the Aſſiſtance of the faithful Citizens ſurprized or ſtormed the Caſtle, to the great Satisfaction of the King his

Scots Authors miſtaken.

(*a*) Ib. 162. (*b*) Hawthor. p. 151, 152, &c. Buchan. p. 433. Ferrer. f. 396, 397. Leſl. p. 311, &c.

his Brother, who finding himſelf by this means at Liberty, received and embraced the Duke his Deliverer, with all the Expreſſions of Love and Gratitude imaginable; inſomuch that he could not be eaſy but in his Company, and would needs make him a Partner in his Bed, and a Comrad at his Table. He alſo rewarded the Loyalty of the Town of *Edinburgh* with a Grant of many new Privileges, contained in a Patent which they call their *Golden Charter*. Indeed they very well deſerved the Favours beſtowed upon them; for whatever hand they had in the Deliverance of the King, (concerning which, as well as his Impriſonment, I have many Doubts,) it is certain, that upon the King of *England*'s ſending his Servant (*a*) *Garter* King of Arms to let them know, that for ſeveral great Cauſes and Conſiderations (what theſe Conſiderations were, I ſhall juſt now relate,) he had utterly refuſed to comply with the Marriage of his Daughter and the Duke of *Rotheſay*, they repaid all the Money, amounting to the Sum of 6000 Merks *Sterling*, which he had deburſed upon that account. He ſignified this Intentions to them in the Month of *October*; and yet in *December* following (*b*) he commiſſioned Ambaſſadors to come to *Scotland* with Orders to perfect the other Marriage agreed to between his Brother-in-law the Earl of *Rivers*, and the King's youngeſt Siſter the Lady *Margaret*. Which ſhews that he was not averſe to an Alliance between the two Houſes: But the Lady *Margaret* was the Siſter of the Duke of *Albany*, as well as of the King, and he deſigned to make the Duke his own Son-in-law, by marrying him, inſtead of the Duke of *Rotheſay*, with his Daughter the Lady *Cecil*. But it ſeems that King *James* had ſome Intelligence of that unfair Contrivance, and therefore put a ſtop to the one Marriage, as King *Edward* had done to the other. It appears from a ſafe Conduct granted by the laſt mentioned to the firſt, dated at *Oburn* the 23d of *November*, that (*c*) King *James* reſumed about this Time his former Deſign of travelling through *England* with a Retinue of 1000 Horſe, in order to go over from thence into *France*, and there to viſit, as he gave it out, (tho it is probable he had another Errand,) the Shrine of St. *John* at *Ambois*. At this Time then he muſt have been at Liberty: Beſides, the Charter ſaid to be granted to the Town of *Edinburgh* as a Reward for their aſſiſting towards his Deliverance, is dated, according to *Hawthornden*, in 1482; and yet he is ſaid to have been nine Months a Priſoner, which cannot be true. And this is one Reaſon to doubt whether he was a real Priſoner, or only pretended to be ſuch, to avoid falling into the Hands of his Enemies. Another Reaſon for the ſame Doubt is founded upon the Honour and Fidelity of the Perſons who are ſaid to have impriſoned him. They were the very ſame, who, without leſſening his royal Authority in the leaſt, made that advantageous

The Duke of *Albany* ſeemingly reconciled to the King.

(*a*) Fœd. Angl. Tom. 12, p. 165, 166. (*b*) Ib. p. 171. (*c*) Ib. p. 170.

Treaty at *Edinburgh*. In purſuance of which, the foreign Enemy departed out of the Kingdom, and the Duke of *Albany* was obliged to accept of his own private Eſtate in lieu of the Crown to which he aſpired. Now that theſe Perſons, who by their Wiſdom and Courage preſerved the Crown to the King and *his Succeſſion*, ſhould have impriſoned his Perſon, does not ſeem probable. It is more likely that his pretended Impriſonment was a State-trick, or a well managed Concert between the King and thoſe Worthies. I think ſo the rather, becauſe, tho our Authors tell us, that when they heard of the King's being ſet at Liberty by his Brother, they retired full of Fears and Apprehenſions to their ſeveral dwelling Places in the Country, and that the Archbiſhop was compelled to reſign his Archbiſhoprick of St. *Andrews* for the Biſhoprick of *Murray*. Yet we are very well aſſured that they were all re-admitted into Favour very ſoon after; and *Spotiſwood* (a) is poſitive that *William Scheves* continued in the Archbiſhoprick of St. *Andrews* till his Death: So that it ſeems evident, that the Diſgrace of theſe Men has been like the King's Impriſonment, only apparent. Indeed they had all the reaſon in the World to withdraw from Court, when they underſtood that the Duke of *Albany*, whoſe Deſigns they had ſo lately defeated, had found means to preſide in that Sphere; and I truly believe that they conceived the King to be now in Reality, what he had been before but in appearance, a Priſoner. The King himſelf, I doubt, was much of the ſame Opinion; but he put the beſt Face upon the Matter, that he poſſibly could. He cajolled his Brother into a Belief that he thought him his Deliverer, heaped Favours upon him, and managed all things ſo, that it was not in the power of that Traitor to effect the Treaſon he intended. For that he ſtill intended to uſurp the Throne, is probable from the King of *England*'s rejecting the Marriage between his Daughter and the Duke of *Rotheſay*; but evident from what follows.

Leaves the Court in a Diſcontent.

He was no ſooner put in Poſſeſſion of his Eſtate, but he left the Court in a Diſcontent, giving out that he could not be ſafe there, the King's unreaſonable Jealouſies being revived by the Malice of theſe mean wicked Fellows who were ſtill about him, and who even in his Majeſty's Bed-Chamber had mingled Poyſon with his Drink; intimating that there was nothing ſo foul but the King, to be rid of him, would do, or at leaſt ſuffer to be done. Theſe Calumnies had their ordinary Effect; and as they were induſtriouſly propagated by the Cabal, they made no ſmall Impreſſion upon the Minds of the People, and miſled even honeſt Writers into the Miſrepreſentations which they have left us of this Reign. When it was known whither the Duke had retired, the Cabal reſorted to him from all Parts; the Court which he kept at his Caſtle of *Dumbar* was crowded with more of the Nobility than his Majeſty's at

(a) Hiſt. of the Church of Scotl.

at *Edinburgh*. And it was not long before *Alexander* Duke of *Albany*, Earl of *March*, *Marr* & *Garioch*, Lord of *Annandale*, &c. (for these were his Titles,) named (*a*) his *most dear Cousins and Counsellours Archibald* Earl of *Angus*, and Lord of *Douglas* and *Abernethy*, *Andrew* Lord *Gray*, and Sir *James Liddel* of *Halkerston*, *his Ambassadors*, *Commissioners and Messengers*, impowering them to treat with the King of *England*, concerning such Things as had been agreed on at the Castle of *Fotheringay*. So we see that the unrelenting Duke had still a mind to make good that monstrous Treaty, and that *Archbald bell the Cat*, and such others as were chiefly instrumental in raising the Mutiny, affronting the King, and dissipating the Army at *Lawder*, acted then and afterwards in Concert with him. Their Commission was dated at the Castle of *Dunbar*, the 12th of *January* 1483. On the 9th of *February* following (*b*), *Henry* Earl of *Northumberland*, *John* Lord *Scroop*, and Sir *William Parr*, were appointed by King *Edward* to treat with them, and within two Days they came to this memorable, tho till now secret Agreement. Sends Ambassadors to *England*. A.D. 1483.

"1*st*, The most excellent Prince *Edward* by the Grace of God King "of *England* and *France* on the one Part, and the high and mighty "Prince *Alexander* Duke of *Albany* on the other, were bound and "obliged to uphold and assist one another against all Mortals, and "to cultivate a good Amity, Love, Favour and friendly Intelli- "gence between themselves, and the Subjects, Lovers and Well- "wishers of either. In Order to which a Years Truce was conclud- "ed. 2*dly*, The Ambassadors of the Duke of *Albany* under- "took in the Name of, and for their Master, that during the "Truce, and after, if there was Occasion for it, he should by "all means possible endeavour the Conquest of *Scotland*, that be- "ing settled on that Throne, he may be enabled to do *great and* "*mighty Service* to the King of *England* and his Heirs against the "*Occupiours* [Possessors] of the Crown of *France*. 3*dly*, That "while the King of *England* was willing to assist the said Duke in "that Quarrel, and towards that End, he the said Duke should "never lay down his Arms, for any Reason or Offer that may "be made to him by *James*, who now *occupieth* the Crown of "*Scotland*, nor by any of the Issue of the said *James*. 4*ly*, The "Earl of *Angus*, Lord *Gray* and Sir *James Liddel* obliged them- "selves *by their Faiths*, *Honours and Knighthood*, that in case the "said Duke of *Albany* should die without Heirs to succeed him in "the Throne of *Scotland*, they, their Friends, Vassals and De- "pendants should never live under the *Leigeance* of any other "Prince, but the King of *England*; and that they should keep "their Castles, Houses and Strengths from *James now King* "*of Scots*, with all their Powers. 5*ly*, They undertook for the "Duke, that 40 Days after his obtaining the Crown of *Scotland*, "he should break and cancel all former Leagues and Engage- Who renew the former Treaty with King *Edward*.

(*a*) Fœd. Angl. Tom. 12. p. 172. (*b*) Ib. p. 173.

" ments with *France*, and with all his Power aſſiſt the King of " *England* towards the final Conqueſt of that Kingdom to his own " Obedience. *6ly*, That he ſhould reſtore *James* Earl of *Douglas* " to all his Lands, Caſtles, *&c.* in *Scotland*, conformably to an A- " greement made between the ſaid Earl of *Douglas* and *Archbald* " Earl of *Angus*. *7ly*, That the often mentioned Duke, being " King of *Scotland*, and at Liberty to marry, ſhould take to Wife " one of the Daughters of King *Edward*, without putting the " ſaid King *Edward* to any Charges in View of or concerning the " Marriage; that is, he was to give his Daughter no Portion", and yet ſhe was to be made a Queen. *Laſtly*, " The King of *Eng-* " *land* was bound to aſſiſt the ſaid Duke towards conquering " *Scotland*, and for that end to ſend his Brother the Duke of *Glo-* " *ceſter* and Couſin the Earl of *Northumberland*, with ſuch Suc- " cours as ſhould be thought neceſſary, to the Borders; to main- " tain at leaſt 3000 Archers in conſtant Pay for that Service, " and if the Occaſion was inviting, to raiſe ſuch a notable Army, " as being joined by the Duke's Friends, would, *with God's Grace*, " be ſufficient to complete the Work". The End and Scope of this Agreement is in it ſelf as plain as Words could make it. It has only one Expreſſion which to me ſeems ſuperfluous, as being altogether inconſiſtent with the reſt, that is, the *Grace of God*; for I cannot comprehend why the Grace or Aſſiſtance of God ſhould be called for, or depended upon, by Men ſo fully determined to break through, and to violate all his Laws, as well as thoſe of Nature and Nations. But, *Si vis fallere plebem, finge Deum* was ever a Maxim ſacred to thoſe, whoſe Actions were moſt eminently prophane. I have obſerved that there was a Prieſt or two engaged in the Conſpiracy: But I doubt they were not ſo learned as thoſe who have ſince demonſtrated from Goſpel Precepts the Chriſtian Duty of Rebellion, Regicide and Perjury; yet they might have Wit enough to foiſt in one pious Expreſſion among an hundred, and to trick an undiſcerning Few into a Belief that they meant no ill, who ſo heartily called upon the Deity for Support. But how vain are the Imaginations of Men!

Edward IV. dies.

While the young, and great, and gallant King *Edward* IV. of *England* was thus contriving the Ruin of two Kings, and the Conqueſt of as many Kingdoms, (for he had juſt then reſolved to attack *France* as well as *Scotland*,) he was by Death deprived of his own: He expired upon the 9th of *April*, not full two Months after he had concluded the above-mentioned Treaty with the Duke of *Albany*; and whatever Account he made of it, and of the many more unjuſtifiable Actions of his otherwiſe heroical Life, before the Tribunal of the All-ſeeing God, it is certain, that the Hand of Heaven lay heavy upon his Poſterity. (*a*) Of his ſeven Daughters, only one, namely *Elizabeth* the eldeſt, can be ſaid to have been

(*a*) Echard, p. 550, 551, &c.

been in any Degree fortunate, and his two Sons were, within leſs than three Months after the Death of their Father, moſt inhumanely murdered by their unnatural Uncle *Richard* Duke of *Gloceſter*, who alſo uſurped the Throne by the Name of *Richard* III. King of *England*, with Circumſtances in all Reſpects ſo unworthy of a Man, much leſs of a Chriſtian, that it is Matter of Wonder that an Author (*G. Bucks*) ſhould be found ſo regardleſs of Truth and his own Reputation, as to offer to palliate his Injuſtice. However, as nothing falls out but by the Permiſſion of over-ruling Providence, ſo nothing, tho ever ſo bad in it ſelf, can happen, which does not in ſome Meaſure conduce to ſome good End or other. This was evident in the preſent Caſe; for the ambitious Rage and enormous Proceedings of the Duke of *Gloceſter* in *England*, gave a fair Opportunity to King *James* of cruſhing the perhaps as impious, and no leſs unnatural Deſigns of the Duke of *Albany* in *Scotland*. This laſt, upon certain Intelligence of his treaſonable Intrigues with the Court of *England* and Earl of *Douglas*, was ſummoned to appear in Judgment; but the Conſcience of his Crime not permitting him to give Obedience to the Law, and the late Revolution in *England* depriving him of the Succours which he expected from thence, in order to an open Revolt, he fled to the *Engliſh* Borders, leaving his Caſtle of *Dumbar* in the Hands of an *Engliſh* Garriſon well provided with all Things neceſſary for a long Defence. He was therefore forefeited a ſecond Time, and with him, which was a Pity, only one of his Accomplices, *William* Lord *Crichton*, who, for the ſame rebellious Purpoſes, had alſo put his Caſtle of *Crichton* in a Poſture of Defence; tho, according to *Buchanan* (*a*), a private and ſhameful Pique was thought the true Ground of the Sentence pronounced againſt him: The King, ſays he, had debauched the Lord *Crichton*'s Wife, and the Lord *Crichton* had in his Turn found Means to enjoy *Margaret* the King's youngeſt Siſter, and had a Child by her called *Margaret Crichton*, who, adds our Author, deceaſed not long ago. He tells us likewiſe, and gives us his Word for it, that before the Adultery of the Lord *Crichton* and Princeſs *Margaret*, ſhe was infamous for, what is yet worſe than Adultery, an inceſtuous Correſpondence with the King her Brother. This Story, if it could be believed, would indeed be, what the Author deſigns it, an indelible Stain upon the Memory of the King and Princeſs. But he does not tell that (*b*) *Margaret Crichton* was in his Time Counteſs of *Rothes*, and yet he is obliged to own that the Lord *Crichton*, upon the Death of his firſt Lady, did marry her Mother, and that that Marriage effected his Reconciliation with the King. Upon the whole I muſt acknowledge that I am not furniſhed here, as I am on moſt other Occaſions, with Memoirs ſufficient to demonſtrate beyond all Poſſibility of a Reply, the Malice and Falſity of all theſe Particulars:

Richard III. uſurps the Crown of *England*.

The Duke of *Albany* flees from Juſtice to *England*.

Buchanan cenſured.

(*a*) p. 433, 434. (*b*) Crawf. Hiſt. of the Stew. p. 29.

But ſince they are related by *Buchanan*, and by none that I know but *Buchanan*, I hope no Man who has peruſed the reſt of my Work, and obſerved, as he muſt needs have done, how often and how unanſwerably I have confuted that calumniating Author, will think me void either of Charity or Faith, becauſe I cannot, upon his ſingle Aſſertion, believe a ſcandalous Story of a young Princeſs and a much injured King; which is indeed poſſible, but credible for no other Reaſon that I can ſee, but becauſe it is poſſible. I return to the Duke of *Albany*.

We need not doubt but that he met with a favourable Reception in *England*, the Reſemblance of his Humour and Deſigns with thoſe of King *Richard* (for ſo we muſt now call that Uſurper,) and their long Acquaintance and Intimacy together, being ſtrong Motives for a ſtrict Conjunction and indiſſoluble Friendſhip between them: But it is generally long before Uſurpation can be ſecure. *Richard* had ſo much to do at Home, that in this the firſt Year of his Reign he could afford little or no Aſſiſtance to his foreign Con-
A. D. 1484. federates: But in the Beginning of the next Year 1484, he began to ſet his Heart to the Work; and to quicken the Zeal of the Earl of *Douglas*, granted to him (*a*) a yearly Penſion of 200 *Lib. Sterl.* during Life, out of certain Funds aſſigned for the Purpoſe. He did yet more; for, notwithſtanding that new Grant, he alſo ap-
Richard III. aſſiſts the Duke of *Albany* and Earl of *Douglas* in their Rebellion. pointed his Penſion (*b*) of 400 *Lib.* formerly allowed by King *Edward* IV. to be continued, and the Arrears of it to be punctually paid. Yet ſuch were his domeſtick Cares, and continual Alarms from a Party at Home, and a Pretender Abroad, that the much diſappointed Refugees, I mean the Duke of *Albany* and Earl of *Douglas*, ſoon found that their late Treaty with King *Edward* was not like to be made good by King *Richard*; but then they much depended upon their Friends in *Scotland*, who, they hoped, would all take Arms againſt the Government as ſoon as they ſhould appear upon the Borders with a competent Number of Forces to ſupport them. Accordingly on the 22d of *July*, being the Feſtival of St. *Magdalene* (*c*), on which Day a Fair or publick Market was
Who invade *Scotland*, but are defeated. kept at, or near to *Lochmaben*, they marched with 500 choiſe Horſe to that Place, leaving a good Body of Foot on the Hill of *Burneſwark* to ſupport them. But the People, tho moſt of them formerly the Vaſſals or Tenents of the Duke and Earl, were ſo far from joining them, as they expected, that on the contrary, they believed that their Deſign was (indeed it was not unlikely,) to plunder the Fair, and to make Booty of all the ſaleable Things their Horſes could carry, or Men drive before them. The Lairds of *Johnſton* and *Cockpool* by their Words confirmed the People in that Opinion, and animated them by their Example to defend their Lives and Effects from the Hands of thoſe Robbers. Upon this a fierce

(*a*) Fœd. Angl. Tom. 12. p. 213. (*b*) Ib. p. 218. (*c*) Buchan. p. 434. Hawthorn. p. 155, 156. Godſcroft, p. 205, 206, &c.

fierce Engagement enſued; for in thoſe Days every Country Fellow in *Scotland* was armed, and could make uſe of his Weapons as a Souldier. The fight laſted from Noon till Night with various Appearances of Succeſs, both Parties being from time to time re-inforced. At length the *Scots* prevailed, and the Duke of *Albany* owed his Retreat to the Swiftneſs of his Horſe, but the ever unfortunate Earl of *Douglas*, being weighted with Years and Arms, and it may be Remorſe of Conſcience, was made a Priſoner, and carried with ſome Shew of a Triumph to *Edinburgh* by *Robert Kirkpatrick*, who, for that valuable Piece of Service, obtained a Grant of the Lands of *Kirkmichael*.

The Duke of *Albany* put to flight, and the Earl of *Douglas* made a Priſoner.

It is reported, that when the Earl was brought into the King's Preſence, he turned his Back, and, out of a juſt Senſe of his Guilt, refuſed to look him in the Face, a Face which probably he had never ſeen, having been for his unrelenting Rebellion againſt King *James* II. driven from *Scotland* for the laſt Time in 1456, and had ever ſince continued in *England*, a reſtleſs Worker of all the Miſchiefs which I have related, and the unlucky Beginner of thoſe to come. He was the firſt *Scotſman*, who, for ought I know, ever attempted to dethrone an unqueſtionably lawful King of *Scotland*, (except the Murderers of King *James* I.) or who taught the *Scots* Nobility to value *Engliſh* Gold, Preferments and Penſions more than the Product of their Native Soil, the Honour of their ancient Blood, or the Integrity of their formerly untainted Souls; inſomuch, that if he had had a thouſand Lives united in one, he deſerved to die as many Deaths: And yet ſo merciful was the King, (a King called, by *Buchanan* and ſome others, a monſtrous Tyrant!) that being taken with the goodly Perſonage, Gravity and gray Hairs of the Man, and conſidering that in his younger Days he had been deſtined to the Church, or rather willing to give him Time to repent in a Cloyſter, of the pernicious Example which he had given in ſo many Courts, he confined him to the Abbacy of *Lindores*; a Puniſhment, which, by many Holy Men of as great Quality as himſelf, would, of old at leaſt, have been conſidered as a Reward. But when he heard in what manner he was doomed to paſs the Remainder of his Days (*a*), he is ſaid to have expreſt himſelf thus, *He that may no better be, muſt be a Monk.* Yet, when ſome Years after, that ſame Faction, in which he had been ſo deeply engaged, began again to prevail, and he was intreated by his Kinſman and ancient Confederate the Earl of *Angus* and others to leave his Cloyſter, and to ſet himſelf at their Head (*b*), he not only rejected the profered Terms, which were very great, but alſo exhorted them to return, while it was yet Time, to their Duty, inſiſting upon many Arguments drawn from the different Paſſages of his long Life and old-aged Experience, to deter them from

And brought into the King's Preſence.

And confined to a Cloyſter.

The Sentiments of his old Age.

(*a*) Godſcroft, p. 206. (*b*) Leſly, p. 216.

thoſe impious Courſes which he had ever found to be accompanied with Hazards of all ſorts, and to end for the moſt part in Ruin and Shame. This, tho atteſted by ſeveral Authors anterior to himſelf, and in particular by Biſhop *Leſly*, Mr. *Hume* of *Godſcroft* does not think probable. He tells a quite contrary Story concerning the Earl, and attributes his Inaction againſt the King in the very laſt Period of his Life, to nothing but his old Age and his Wearineſs of Troubles; as if he thought it mean or daſtardly in a veteran Rebel, not to be at leaſt rebelliously inclined to the very laſt. But I have another Opinion of that noble Perſon, nor do I doubt but that the religious and dutiful Sentiments which he had been taught when a Youth, in the ever renowned and loyal Univerſity of *Paris*, were happily revived, now he was upon the Brink of Eternity, by his meditating no leſs upon the Errors of his own Life, than upon the Death and Paſſion of his Non-reſiſting Saviour, in the Abbacy of *Lindores*. He died there ſome time after the fatal Overthrow of the King, in 1488, leaving no Iſſue either to claim his Eſtate and Honours, or to repreſent the illuſtrious and heroical Houſe of which he was once the Chief. And thus that Branch, or rather the Stock and Root of the *Douglaſſes*, after it had grown up to an immenſe Height, under the Screen of Royal Favour, was, for attempting to drain the Source of that healthy Juice by which it had been nouriſhed, and to overſhadow that Sun to whoſe benign Influences it owed its Increaſe, intirely cut off. A memorable Example, amongſt many others, to all great Families and ambitious Minds, who, without being endued with the Spirit of Prophecy, may read and foreſee their own Fate, if they do not moderate their Deſires in that of ſuch bold Offenders. Nor did it fare better with the Duke of *Albany*.

Godſcroft cenſured.

Earl of *Douglas* his Death.

He ſtayed ſome time after his Defeat upon the Borders, and was the Author or Occaſion of ſeveral Inroads which were made by both Nations upon one another, and which, ſays *Buchanan*, proved very hurtful to the *Engliſh*, but of no great Advantage or Profit to the *Scots*. However, it ſeems that the *Scots* had generally the better, and therefore King *Richard*, who had alſo many other Reaſons for endeavouring an Accommodation, became intirely regardleſs of his own or his Brother's Engagements with one that was not like to be ſucceſsful. He feared what he called a Rebellion at home, and an Invaſion from beyond the Sea, a preſſing Incitement to a Peace, or at leaſt a Truce with *Scotland*. On the other hand King *James* was willing to have his rebellious Brother removed to a greater Diſtance, and a leſs hoſtile Climate than *England*, that the Head of the Cabal being out of the way, he might the more eaſily bring the Remainder to Reaſon or Juſtice. To be ſhort, a Congreſs was held at *Nottingham* (*a*), where appeared, as Plenipotentiaries for the King of *Scots*,

(*a*) Holinſhed. p. 405. Fœd. Angl. Tom. 12. p. 235, 236, 237, &c.

Scots, *Colin* Earl of *Argyle*, by this time made Chancellor of *Scotland*, *William Elphinſton* Biſhop of *Aberdeen*, *Andrew Stewart* Lord *Evandale*, *Robert* Lord *Lyle*, *Laurence* Lord *Oliphant*, *John Drummond* of *Stobhall*, Mr. *Archibald Whitelaw* Secretary of State and *Duncan* de *Dundas* Eſq; King *Richard*'s Commiſſioners were, *Richard* Biſhop of St. *Aſaph*, *John* Duke of *Norfolk*, *Henry* Earl of *Northumberland*, *Thomas* Lord *Stanley*, &c. who on the 21ſt of *September* "Agreed to a Truce which ſhould begin at "the Riſing of the Sun on the 29th of the Inſtant Month of "*September*, and laſt till the Setting of the Sun on the 29th of "*September* 1487. That during theſe three Years, all Caſtles, "Fortreſſes, Towns, *&c.* ſhould remain in the Hands of the pre- "ſent Poſſeſſors, the Caſtle of *Dumbar* only excepted, which if "the King of *Scots* had a mind to recover by Force, he might "without Breach of the Truce attempt it, but not till ſix Months "ſhould be elapſed; nor then neither, unleſs he gave fair Warning "of his Reſolution within ſix Weeks to the King of *England*. That "no Outlaw, nor Rebel of either Kingdom ſhould be received or "entertained in the other; and that in every ſafe Conduct this "Clauſe ſhould be inſerted, *Provided always that the Obtainer of this "ſafe Conduct be no Traitor.*" The Puiſſances comprehended in this Truce (if they would aſſent to it,) on the part of *England* were, the King of *Caſtile* and *Leon*, the King of *Arragon*, the King of *Portugal*, the Archduke of *Auſtria*, and Duke of *Burgundy*, and the Duke of *Bretaign* or *Britany*. And on the part of *Scotland*, the King of *France*, the King of *Denmark* and *Norway*, the Duke of *Guelder* and the Duke of *Britany*. The Lordſhip of *Lorn* in the Realm of *Scotland*, and the Iſland of *Lunday* lying in the River of *Severn* in the Realm of *England*, were expreſly excluded from the Benefit of this Truce, and indeed from that of all others long before and after; for what Reaſon I know not. The Conſervators for *Scotland* were, *David* Earl of *Crawford* and Lord *Lindſay*, *George* Earl of *Huntley* Lord *Gordon* and *Badenach*, *John* Lord *Darnly*, *John* Lord *Kennedy*, *Robert* Lord *Lyle*, *Patrick* Lord *Hales*, *Laurence* Lord *Oliphant*, and *William* Lord *Borthwick*, *John Roſs* of *Hawlkhead*, *John Lundy* of *Lundy*, *James Ogilvy* of *Airly*, *Robert Hamilton* of *Fingalton*, *William Baillie* of *Lammington*; *John Kennedy* of *Blairquhan*, *John Weems* of *Weems*, *William Ruthven* of *Ruthven*, and *Gilbert Johnſton* of *Elphinſton*, Knights; *John Dundas* of *Dundas*, *John Roſs* of *Montgrenan*, and *Edward Crichton* of *Kirkpatrick*, Eſq; They for *England* were, the Earls of *Lincoln* and *Northumberland*, the Lords *Nevil*, *Grayſtock*, *Scroop*, &c. It was further agreed that Commiſſioners ſhould meet on certain Days at certain Places on the Borders, ſuch as *Lochmaben*, *Ridanburn*, *Dumbar*, &c. for redreſſing of Offences, and declaring and publiſhing the Truce. They for *Scotland* were, the Earls of *Angus*, *Huntley* and *Argyle*, the Lords *Annandale*, *Seton* and *Oliphant*; the Laird of *Stobhall*,

Truce between K. *James* and K. *Richard*.

Sir *Gilbert Johnſton* of *Elphinſton*, *David Scot*, *Robert Charters* of *Amysfield*, *Alexander Hume*, *Walter Carr*, *George Hume* of *Ayton*, *James Rutherford* Laird of *Rutherford*, *Andrew Ormiſton* Laird of *Ormiſton*, *William Knolleys*, *David Hepburn* of *Wauchton*, *James Cockburn*, the Lords *Kennedy*, *Montgomery* and *Lyle*, *John Maxwel* Steward of *Annandale*, *Robert Crichton* of *Sanquhar*, &c. In fine, a Marriage was alſo agreed on betwixt King *James* his eldeſt Son and Heir *James* Duke of *Rotheſay*, Earl of *Carrick*, Lord of *Cuningham*, &c. and the moſt illuſtrious Lady *Anne de la Pool*, the Niece of King *Richard* and only Daughter of the noble and potent Prince *John* Duke of *Suffolk*. But this Marriage, the Conditions of which were afterwards adjuſted in another Congreſs at *York* or *Nottingham*, did never take effect, tho the Lady *Anne* took upon her the Title of Dutcheſs of *Rotheſay*, but loſt it by reaſon of the ſhort Life of King *Richard* her Uncle, and the ſubſequent Revolution in *England*.

It is plain, that after, if not before this Treaty, the Duke of *Albany*'s Meaſures muſt needs be intirely broken: He therefore laid aſide his aſpiring Thoughts, and being attended by *John Liddel* the Son of Sir *James Liddel* of *Hawlkerſton*, he retired ſecretly to *France*, where, tho he deſerved it not, (for he had been as ungrateful to that King and Country as to his own,) yet he was very well received, and moſt honourably entertained for many Years, ſays Biſhop *Leſly* (*a*), till being mortally wounded at a Tournament by the Splinter of a Spear, he loſt his Life and future hopes, if he was yet ſo wicked as to entertain any to the Prejudice of the King his Brother. Whether he did ſo or not, it is impoſſible to gueſs, but I am ſure he had no Reaſon; for it was an Effect of his Brother's unparallelled Clemency, that he was permitted to breath the Air even of that Climate, as every one muſt know that knows any thing of the ancient League between *France* and *Scotland*, in neither of which Kingdoms an Out-law or Refugee from the other could be entertained without the Conſent of his natural Sovereign: And that League was renewed and confirmed this very Year 1484, and the reaſon of it was this. *Lewis* XI. had left this World in *Auguſt* the Year before, and was ſucceeded by his Son *Charles* VIII. who, conformably to the ancient Cuſtom obſerved by the Kings of both Realms, ſent his Ambaſſadors to *Scotland* to acquaint King *James* with his Father's Death, and his own Acceſſion to the Throne, but more particularly to witneſs the uſual Oath taken by the King of *Scotland* to obſerve all the old, and ſuch other new Articles of the League, as by mutual Conſent might be added to it. The Ambaſſadors ſent by King *Charles* on this Occaſion (*b*) were, *Bernard Stewart*, Lord *d' Aubigny* and Marſhal of *France*, a *Scots* Gentleman of the higheſt Reputation and equal Merit, and *Peter Maillart* Doctor of the Laws, who after they had

The Duke of *Albany* dies in *France*.

League renewed between the King and *Charles* VIII. of *France*.

(*a*) p. 313. (*b*) Ib. p. 312.

had witneſſed the Ratification of the League in the Month of *March*, returned to *France* with a great Body of Auxiliary Troops and many brave Officers, particularly one of the Name of *Robertſon* and Houſe of *Strowan*, highly extolled by many Authors. They all ſignalized themſelves in moſt parts of *Europe*, but more eſpecially in *Italy*, where, after having the principal Glory of the Conqueſt of the Kingdom of *Naples*, many of them ſettled themſelves, and, as their Anceſtors had done in the Days of *Charles Maigne* and King *Achaius* about 600 Years before, left a great Number of illuſtrious Families behind them, ſuch as thoſe of the *Scotti's*, *Mareſcotti's* and *Paperoni's*, who, to this Day, boaſt of their *Scottiſh* Origine, and wear the Badges of their *Scottiſh* Anceſtors. King *James* ſent over at the ſame time Sir *Robert Fleming* of *Cumbernauld*, and Mr. *John Ireland* Profeſſor of Divinity, as his Ambaſſadors to King *Charles*, who in their Preſence ratified and ſwore to the Obſervation of the League, at *Paris* the 9th of *July*, in the ſame manner, and with the ſame Solemnities uſed by King *James* in Preſence of the *French* Ambaſſadors at *Edinburgh*. The original Copy with the *French* King's Subſcription and Seal, is extant in the Regiſter. It is a Ratification of all former Treaties of the ſame Kind made by the Kings of *Scotland* and *France*, from which it differs in nothing material. It declares the League to be "perpetual, indiſpenſable even by the Pope, and ever-"laſtingly binding upon both Kings, their Poſterities and People; "and it (*which God forbid*) any Contention ſhould ariſe about the "Succeſſion to the Crown of *France*, in that Caſe the King of *Scot-*"*land* is bound to ſtand Neuter between the Competitors, till it "be determined by the Prelates, Nobles and Majority of the "Kingdom of *France*, to which of them the Crown does belong "in the Hereditary Right of their Blood; and when the Heredi-"tary Right is determined by the ſaids Prelates, Nobles, *&c.* "acting conformably to the Laws, Statutes and inviolable Cu-"ſtom of the Kingdom, to aſſiſt and defend them, and the "Perſon in whoſe Favour they have thus decided, againſt all Mor-"tals in general, and the King of *England* in particular". The King of *France* is bound in the ſame Manner, and in the very ſame Words, to aſſiſt and defend the King of *Scotland*, when declared to be ſuch by the Prelates, Nobles, *&c.* of the Kingdom of *Scotland*, acting agreeably to the Laws and Statutes of the Kingdom, and to the Hereditary Right inherent in his Perſon. There are thoſe who from this Clauſe would draw a very erroneous Conſequence, *viz.* that the Prelates, Nobles and Majority of either of the Kingdoms, are thereby entituled to elect their Kings, at leaſt to prefer any of the Royal Race to the immediate Heir, than which nothing can be more impertinent or abſurd: For when the immediate Heir is evidently known, then there can be no Occaſion for a Convention of the Eſtates to determine his Title, as is plainly implied from theſe expreſs Words of the Treaty, *If it falls*

Scots Auxiliaries ſent to *France*.

Additional Clauſe of the old League.

Antimonarchical Authors confuted.

out (which God forbid) that the King of Scots, *his Heirs or Succeſſors ſhould die without Iſſue of his own Body, and thereupon a Competition ſhould enſue* . . . . ; as alſo from the Words (*Hereditary Right*) repeated again and again, to ſhew that even the Eſtates muſt in no Caſe preſume to violate it. And if that Hereditary Right ſhould come to be really doubtful, as in the Caſe of the *Bruce* and *Baliol* in *Scotland*, and in that of *Philip* de *Valois*, and *Edward* III. King of *England* in *France*, who but the Eſtates or Majority of either of the Kingdoms ſo ſtated ought to decide, or can be reaſonably ſuppoſed to underſtand the Controverſy? This is abundantly obvious, I humbly conceive, to every unbiaſſed and impartial Underſtanding: But to make it yet more plain, I ſhall take the Freedom to tell my Reader that all States being founded upon, and limited by their reſpective Conſtitutions, even hereditary Monarchies, tho peremptorily ſuch, do nevertheleſs differ from one another in ſeveral Reſpects. For Example, the Kingdom of *France* is and ever was hereditary, yet no King's Daughter, no Woman, nay, no Man in the Right of a Woman can ſucceed to the Crown, in ſo much that if all the Male Race of St. *Lewis* were extinguiſhed, then the Eſtates, without reſpect to the Birth or Blood of any Perſon in Being, would meet and chuſe a King, whoſe Male Race would in the ſame Manner become Hereditary, without entituling the Female to the leaſt Pretenſion. And the ſame Eſtates, who muſt needs be ſuppoſed to know beſt their own Conſtitution, are likewiſe, in caſe of a Competition between Pretenders, undoubtedly the moſt competent Judges of ſuch a Controverſy. The Kingdom of *Scotland* is alſo by immemorial Cuſtom, known Laws and Conſtitution, hereditary, but in a very different Senſe; for tho it is probable, and almoſt certain, that of old a Woman could not ſucceed to the Throne, yet Men in the Right of Women, their Mothers, or Grandmothers, did always ſucceed, when there was no Heir Male more nearly deſcended from the Royal Stock; and by the now Conſtitution even Women do ſucceed and reign in their own Hereditary Right, when they are not precluded by an Heir Male as nearly related to the Blood Royal as themſelves. So we ſee that *Scotland* and *France*, tho both Hereditary Monarchies, do ſtill and always did differ, even in the Herditary Right of Succeſſion; and therefore it was neceſſary that the reſpective Eſtates, when deſtitute of a King, and who, I ſay once more, muſt needs be ſuppoſed to know beſt their own Conſtitution, ſhould be Umpires in caſe of a Competition among themſelves; but then they were to determine by, and conformably to their different Conſtitutions, without Prejudice to the Hereditary Right. Thus had the Eſtates or Majority of the Kingdom of *Scotland* taken upon them to decide the Controverſy between the Lords *Robert Bruce* and *John Baliol*, conformably to the then Conſtitution of the Kingdom and anterior Determination of King *Alexander* II. they had certainly fixed

fixed upon the former, (at leaſt they ſaid ſo themſelves (*a*) when aſſembled in Parliament,) and thereby prevented the innumerable Miſchiefs that enſued upon their permitting a Foreigner, unacquainted with their Conſtitution, to invert the ſame. The like Inconveniency fell out in *France* upon the Death of *Charles le Bel*, without Heirs Male of his Body: But the Eſtates were wiſer; as they knew, ſo they adhered to their Conſtitution and *Salick* Law, which a Foreigner *Edward* III. attempted likewiſe to invert. And that the eſtabliſhed Conſtitution, tho different, of both Kingdoms, might not run the ſame Riſque of being encroached upon for the future, the Clauſe I have ſo long inſiſted upon, was added as an eſſential Article of the ancient League; a Clauſe expreſly deſigned for the Security and everlaſting Support of Hereditary Right, which yet by the Wits of this Age is made uſe of, as a good Argument to overturn it!

The King having thus renewed the League with *France* and concluded a Truce with *England*, and by both theſe Means broken, as he had reaſon to think, the Union of the Rebels, he ſet himſelf in the next Place to cut off all the Grounds and Occaſions of Complaint, by redreſſing the Grievances, whether real or only pretended, of all Sorts of People, and by asking and following the Advice, not of his Cabinet-Council, compoſed of a few mean Men, as had been objected againſt him, but of his Grand-Council the Parliament, which he called together in *February* 1484--5, and to whom he frankly communicated the whole State and Condition of his Affairs, with Reference both to Peace and War. But it ſeems that the Malecontents did not come to this Parliament, or that they came in ſuch a Manner as was highly blameable; at leaſt the Parliament thought (*b*) and ſaid ſo, but referred *the Blame of them, &c.* (as the Record has it,) to the *King's Highneſs*. They very much approved both the making of the Truce, and the renewing of the League; and ſince, without Breach of the Truce, it was lawful to retake the Caſtle of *Dumbar* (*c*), they adviſed the King to beſiege the ſame by the firſt Day of *May* following, at which Time they ordered, under the moſt ſevere Penalties, all his military Souldiers by South the Water of *Forth*, to repair thither, with Arms and Proviſions for 20 Days, preciſely at the Time appointed, and thoſe by North the Water of *Forth*, to be likewiſe at the Siege, on the 18th of the ſame Month of *May*, that ſo the one Part of the Kingdom might relieve and aſſiſt the other in due Time. They alſo adviſed the King to puniſh with great Severity all ſuch as, after diligent Inquiſition, ſhould be found to be, or to have been Abettors of the treaſonable Practices of the late Duke of *Albany*, that all others might be deterred in Time to come from committing *ſic* (that is, *ſuch*) *odyous Crymes againis his Majeſtie*. A very good Counſel, but ſo terrifying to the numerous Offenders, that,

A. D. 1485

Vigorous and wiſe Reſolves of the Parliament.

(*a*) See Vol. 1. of this Work, p. 360. (*b*) Vid. Black Acts, f. 70. (*c*) Ib. f. 69.

to ſave their own Lives, ſo evidently (tho juſtly) threatned by it, they never ceaſed till they had taken away that Life (I mean the King's) which the Parliament meant to ſecure. They laid down many good Expedients for bringing Out laws, Robbers, the Incroachers upon, and Detainers of the King's Revenues, and in a word, Oppreſſors of all Sorts, to condign Puniſhment. But to mitigate the Rigour of theſe Expedients, they adviſed the King at the ſame Time to call *before him and his Council*, ſuch great Lords, as were engaged in *Feuds* or Quarrels with one another, and to ſee them reconciled in his own Preſence. As for the inferiour Gentry, who entertained the like Quarrels, they adviſed him to command *his Juſtice General* to reconcile them in the ſame Manner; *ſo that* (continues the Record,) *our Sovereign Lord's Lieges may ſtand in Peace among themſelves, and be obedient to our Sovereign Lord's Authority.* They approved of the Truce, and deſigned Marriage between the Duke of *Rotheſay* and the Lady *Anne de la Pool*; and that the Appointment at *York* might be kept, they thought it expedient that an honourable Embaſſy ſhould be ſent thither, and that ſix Perſons ſhould be employed in it, *viz.* A Biſhop, an Earl, a Lord of Parliament, *an honourable and wiſe Clerk*, a Knight and an Eſquire, and with them Servants to the Number of fifty two, for the defraying of whoſe Charges they ordered the Sum of 500 Pounds *Scots* to be raiſed upon the Clergy, Barons and Burrows, theſe laſt being to pay 100, and each of the former 200 Pounds. They deſired that another Embaſſy ſhould be ſent to the Pope to obtain a Confirmation of the League with *France*, and of the Agreement with *Denmark*, and to tranſact ſuch other Matters as were then in Agitation. *William Schevez* Archbiſhop of St. *Andrew's* was willing to make the Journey at his own Charges, and the Parliament declared that they thought him the fitteſt and moſt honourable Perſon that could be ſent; but added, that, if it pleaſed his Highneſs to join another in Commiſſion with him, it would be ſo much the better: So that we ſee, that that Archbiſhop was far from having been diſgraced, or forced to reſign his Benefice, as our Authors have erroneouſly related. We alſo ſee that this Parliament did give their Opinion in Affairs of the greateſt Importance; and why not? It was the King's pleaſure, or perhaps his Wiſdom, in regard of the Clamours raiſed againſt him, to ask it; and it was their Duty, as being truly and really his Council, to give it faithfully and ſubmiſſively, as they did. It is true, that the naming of Ambaſſadors, giving them Inſtructions, adjuſting their Number and Retinue, regulating their Expences when ſent to make Leagues and Treaties about the Affairs of Peace and War, the Marriages of the Sovereign, or the Children of their Sovereigns, and Matters relating to Trade and Commerce, are reckoned among the *jura Majeſtatis*, as a certain Author (*a*) juſtly

(*a*) Ancient Rights of Parl. p. 81.

juſtly obſerves: But he as unjuſtly concludes, that ſince the Parliament concerned themſelves with thoſe Matters, the Parliament had a large Share in the *jura Majeſtatis*. A moſt abſurd Concluſion, and of a piece with all thoſe which that Author draws from the like Premiſſes. The Truth is, the King, when of lawful Age, by vertue of his Prerogative Royal, did in thoſe and the like Matters what he himſelf thought fit, without the Advice or Conſent of his Parliament: But this King thought fit upon this Occaſion, in order to ſtop the Mouths of that calumnious *Juncta* that endeavoured his Ruin, to adviſe with his Grand Council in every thing, and to lay before them, not only the preſent State of his Affairs, but alſo the Motives of his Actions, and the very Deſigns of his Heart. It was with this View (*a*) that he promiſed *to cloſe his Hands* from the giving of Remiſſions to notorious Offenders, for two Years to come; and he had formerly done the the like in another Parliament. Which ſhews that his greateſt Fault was not Cruelty, as is moſt falſly alledged, but rather the Reverſe of it, too much Clemency; elſe why ſhould he have been preſſed to give that Aſſurance to his People? He did yet more for their Satisfaction; for, (*b*) *by his ſpecial Grace* (as it is expreſſed in the Record,) and in Conſideration of the Miſchiefs occaſioned by the *black Money or new Placks*, which ſome People had found means to counterfeit, he called in all theſe *Placks*, and ordered two Receivers, *Thomas Tod* and *Alexander Livingſton*, to take them off the Peoples hands, and to return the Equivalent in good unexceptionable Money. A Favour ſo great, and ſo Popular, that it is a matter of Wonder that the King's Deſign, which was to endear his Perſon and Government to every body, did not ſucceed. But there were thoſe who were reſolved not to be pleaſed with any thing he could do: It was not in their Power to forget the Crimes which they had committed againſt him, Crimes of ſo deep a Dye, that if once brought to Light, they could not hope for Pardon: And who knew but that *Richard* King of *England*, an Ear and Eye-Witneſs to all their Engagements with his Brother King *Edward* and the Duke of *Albany*, would diſcloſe their Secrets to his new Ally their injured Sovereign? Indeed it is probable that he would have done it, if the intended Match between his Niece and the Duke of *Rotheſay* had taken effect. But,

Antimonarchical Authors confuted.

Gracious Conceſſions of the King.

A new Scene of Affairs in *England* made the Deſign of that Match abortive. King *Richard* was deſervedly hated by all ranks of People, who at length (*c*) agreed to recall the Earl of *Richmond* from his long Exile in *Bretagne*, and by marrying him with *Elizabeth*, the eldeſt Daughter of *Edward* IV. to re-unite the Pretenſions of both Houſes, and by this happy Conjunction to put an End to that otherwiſe immortal Quarrel. It had been cauſe of Regret to all ſucceeding Generations, if ſo glorious a Deſign had

A new Revolution in *England*.

(*a*) Black Acts, f. 70. (*b*) Ib. f. 74. cap. 114. (*c*) Echard, Orleans in the Life of Rich. III.

miſcarried; but Heaven, who had inſpired it, took Care that it ſhould not fail, and tho the Duke of *Buckingham* had the Misfortune to periſh almoſt as ſoon as he entred upon the Work, yet Earl *Henry* aſſiſted by a few Auxiliaries from *France*, under the Conduct of the renowned *Bernard Stewart* Lord *D'Aubigny* (*a*) completed it with amazing Celerity. He landed at *Milford-Haven* on the 7th of *Auguſt*, fought the Thirteenth and laſt Battel occaſioned by theſe Jarrs, on the 22*d* of the ſame Month at *Boſworth*, and the Uſurper being killed upon the Spot, immediately aſſumed the Crown by the Name of King *Henry* VII. a Crown to which he had indeed a very queſtionable Title, if any at all; but his after-Marriage with Princeſs *Elizabeth* ſecured it, as was intended, beyond all Exceptions, to their united Poſterity. This was ſuch a Bleſſing to the *Engliſh* Nation, as they ought never to have forgotten; for, beſides that it freed their Conſciences from the Guilt, at leaſt the Danger of Rebellion and Perjury, it put a final Period to about a thirty Years War (*b*), which had filled the Kingdom with Blood and Deſolation, and taken away the Lives of near 100000 Men; but at the ſame time it proved the Ruin and Extirpation of the Males of both Families, and ſoon after put an End to the very Name of *Plantagenet*, which had continued near 350 Years in Poſſeſſion of the *Engliſh* Throne, a Name indeed very glorious, by reaſon of the many Heroes who had enjoyed it, but in many reſpects unfortunate, and tainted with many unnatural Actions, from which their Misfortunes did flow.

The 13th and laſt Battel between the Red and White Roſe.

Henry VII. K. of *England*.

This happy Revolution in *England* had alſo ſome good Effects in *Scotland*; for in purſuance of the Advice given to the King by his Parliament, the Caſtle of *Dumbar* was beſieged, and ſurrendered upon Articles: And the wiſe King *Henry*, who, that he might the more eaſily eſtabliſh his Throne in Peace, had no mind to be at Variance with this Neighbours, did not quarrel the Reduction of a Fortreſs, to which he had no Title. On the contrary he expreſſed a ſincere Deſire of a long Truce, or laſting Peace with the King and Kingdom of *Scotland*. In order to which he appointed (*c*) Ambaſſadors to meet with thoſe named by King *James* for the ſame Purpoſe. Theſe laſt were, (*d*) *William Elphinſton* Biſhop of *Aberdeen*, *John Ramſay* of *Balmain* the King's Favourite, and lately made a Lord of Parliament by the Title of Lord *Bothwel*, *John* Lord *Kennedy*, and *John Roſs* of *Montgrenan*, who on the 3d of *July* 1486 (*e*) agreed to a Ceſſation of Arms till the Third of the ſame Month 1489. In this Truce the moſt Chriſtian *Charles* King of *France*, *John* King of *Denmark*, *Swedeland* and *Norway*, the King of *Spain*, *Maximilian* King of the *Romans*, the Dukes of *Auſtria* and *Britany*, were comprehended as Allies of the King of *Scotland*; as were the Emperor, the King of the *Romans*, the

Caſtle of *Dumbar* ſurrendred to the King.

A.D. 1486.

A Truce between K. *James* III. and *Henry* VII.

(*a*) Leſly, p. 312. (*b*) Echard, p. 577. (*c*) Fœd. Angl. Tom. 12. p. 292, 293. (*d*) Ib. p. 291, 292. (*e*) Ib. p. 285, 286.

the Kings of *France*, *Caſtile* and *Portugal*, and Dukes of *Auſtria*, *Burgundy* and *Brittany*, on the Part of the King of *England*. *Archibald* Earl of *Angus*, and *John* Lord *Maxwel* were made Wardens of the *Scots* Marches; and the Earl of *Northumberland* and Lord *Dacres* of the *Engliſh*. By this Treaty we ſee that the Earl of *Angus* had his Share in the Adminiſtration of Affairs; how well he deſerved it, a little Time will diſcover. He and they of his Faction renewed, or rather continued their Intrigues and Cabals, making it their Buſineſs to poiſon the People with their Seditious Diſcourſes, and to affront the Court by abſenting from it, or when they thought fit to attend it, by keeping about their Perſons formidable Retinues of armed Men, as if they had been afraid of unfair Dealing and indirect Practices to take away their Lives. From thence innumerable Miſchiefs enſued, particularly a great Contempt of the Government, attended with a boundleſs Licentiouſneſs in moſt People, who being fearleſs of Juſtice, dared to attempt whatever their Anger, Avarice, Ambition or Luſt inclined them to. To remedy all theſe Diſorders, and, if poſſible, to convince all Men of the Goodneſs of his Intentions, the King called a Parliament, which met at *Edinburgh* on the firſt of *October* 1487, (*a*) and *by his ſpecial Grace, and in favour of his poor Lieges*, or dutiful Subjects, promiſed to give no Pardon nor Remiſſion during the Space of full ſeven Years, to any who ſhould be found guilty of Treaſon, Murder, Burning, raviſhing of Women, Robbing, Thieving, or coining of falſe Money. He alſo made or paſſed many good Laws tending to the Welfare of the Nation in general, but more particularly to the Increaſe of Trade and Induſtry; all which was ſo very acceptable to the Eſtates, that, ſay they, (*b*) *Becauſe our Sovereign Lord has ſo graciouſly applied himſelf to the Council of his three Eſtates in all things concerning them, and ſo bountifully granted to them all the Deſires and Requeſts which they have made to his Majeſty, they the Lords Spiritual and Temporal, Barons, Freeholders*, &c. *have frankly promiſed and ſworn that in time to come they ſhall not maintain, fortify, ſupply, defend, nor be Advocates for, nor ſtand at the Bar with Traitors, Thieves*, &c. *but ſhall with all their Power and Knowledge give Counſel, Help, Supply, Favour and Aſſiſtance towards bringing Offenders of all ſorts to Suffer according to their Demerits*. This loyal Parliament (for ſuch it appears to have been,) was not diſſolved nor adjourned, till in purſuance of a former Act of Parliament, a Statute was made (which I take notice of, becauſe ſoon after it had great and fatal Conſequences,) ſtrictly prohibiting (*c*) all Perſons Spiritual and Temporal to attempt any thing directly or indirectly, contrary or prejudicial to the Union and Annexation of the Priory of *Coldingham* to his Majeſty's Chapel-Royal. This done, the Members returned to their reſpective Habitations, and an Embaſſy arrived from the Court of *England*.

Diſcontents in *Scotland*.

A.D. 1487.

A Loyal Parliament.

(*a*) Black Acts, f. 74. cap. 116. (*b*) Ib. f. 75. cap. 118. (*c*) Ib. f. 78. cap. 134.

One of the Perſons employed in it, was *Carlile* Herauld,(a) who being at *Edinburgh* on the 27th of *November*, and in Conference with *Sandoua* Herauld and Commiſſioner of King *James*, they drew up and ſubſcribed an Indenture, narrating, "That *Richard* Biſhop "of *Exeter*, and Sir *Richard Eggecomb* Comptroller of the Houſe-"hold to the King of *England*, being lately directed to the King "of *Scotland*, had agreed with *William* Biſhop of *Aberdeen* and "*John* Lord *Bothwel* his Commiſſioners, that for Confirmation of "the Truce, and in order to a laſting Peace, there ſhould be a "Treaty of Marriage ſet on foot between the High and Mighty "Prince *James* Marquis of *Ormond*, Earl of *Roſs* and Lord of *Brechin*, "King *James*'s ſecond Son, and a right noble Lady *Katharine* "the third Daughter of *Edward* IV. late King of *England*, and "Siſter to Princeſs *Elizabeth* now Queen of *England*. As alſo, "that for the further Increaſe of Love and Amity between the "two Nations, another Treaty of Marriage ſhould be ſet on foot "between the ſaid *James* King of *Scots* (*that incomparable Lady* "Margaret *of* Denmark, *his Queen was now dead*,) and Queen "*Elizabeth*, late Wife to the ſaid King *Edward* IV. As alſo that "there ſhould be a Treaty ſet on foot towards a third Marriage "between *James* Prince of *Scotland*, Duke of *Rotheſay*, Earl of "*Carrick*, &c. and another of the Daughters of the ſame King "*Edward* IV. That in order to theſe Treaties, and for ending "all Controverſies concerning the Town of *Berwick*, which the "King of *Scots* ſo much deſired to be repoſſeſſed of, there ſhould "be a Congreſs held at *Edinburgh* on the 24th of *January* next, "another in *May*, and laſtly an Interview between the two "Kings ſome time in *July*.

Three different Marriages agreed to between the two Royal Families of *Scotland* and *England*.

This Proſpect of ſo near an Alliance with the Royal Family of *England*, however advantageous to that of *Scotland*, or to the Kingdom in general, and theſe Acts of Parliament which I have mentioned, tho unexceptionably juſt and reaſonable, had nevertheleſs a very different Effect from that which was intended. They filled all ſuch as were Malefactors or Rebels, or rebelliouſly inclined with inexpreſſible Terror. An Interview between the two Kings, and much more a Marriage between the King and Queen Dowager of *England*, if not prevented by all means poſſible, could not fail to produce Diſcoveries of a very ſtrange Nature. Queen *Elizabeth*, an active, ſubtile and deſigning Woman, could not be a Stranger to the many Conſpiracies entred into by the *Scots* Lords and her firſt Husband; and when King *James* and ſhe ſhould come to ſuch an Underſtanding as muſt needs enſue between a Husband and a Wife, it was not to be doubted, but that ſhe would inform him who they were that had deſigned, and might ſtill intend to depoſe, if not to murder himſelf, and to exclude his Poſterity from the Succeſſion. I ſay, it is probable that ſhe would

Jealouſies and Fears ariſe among the Nobility, and from whence.

(a) Ford. Angl. Tom. 12, p. 328, 329, &c.

would have diſcloſed theſe Myſteries, the rather, becauſe King *James*'s two Sons and her own two Daughters, were alſo to be married together, and by conſequence the joint Poſterity muſt run the ſame Hazards, and be liable to the ſame Fate. Theſe were very terrible Reflections, and ſo obvious that they could not but occur to the Cabal, who alſo conſidered what a vaſt Addition of Power would accrue to their ſo juſtly incenſed Monarch, from the Affection and good Will of ſo potent a Neighbour and Ally as the King of *England*. Another great Cauſe of Fear, was the Oath which the Eſtates had taken to concur with the King, towards chaſtizing Traitors and Malefactors of all Sorts; and the Aſſurance which the King had given to the Eſtates, that he would grant no Remiſſions during the Space of ſeven Years to come. From all which they concluded, that if they did not ſpeedily prevent the Concluſion of thoſe Treaties, and the Effects of theſe Statutes, their Ruin was unavoidable.

The Earl of *Angus* and his Accomplices reaſoned, no doubt, in this Manner, and how numerous his Accomplices were, God knows; but it is probable that they were very many, and certain that all theſe Criminals who had been ſo ſeverely cenſured, and doomed to Death by the two laſt Parliaments, namely all Oppreſſors, Robbers, Thieves, Coiners of falſe Money, Murderers, *&c.* would not fail to enter into the ſame Thoughts, and to purſue ſuch Meaſures as their united Counſels ſhould think expedient. Beſides theſe, there were two potent Families or Clans, the *Humes* and *Hepburns*, extremely diſaffected to the King, becauſe forſooth he had annexed the Priory of *Coldingham* to his Royal Chapel at *Stirling* (*a*). They grudged that the Revenues of that Monaſtery, which ſome of their Kindred had of a long Time enjoyed, ſhould be diverted to other Uſes, tho ever ſo pious or neceſſary: And to prevent the apparent Loſs which their Friends and Relations muſt thereby ſuſtain, they joined that deſperate Party, who founded all the Hopes of their own Safety in the quick Diſpatch or Depoſition of their Sovereign. The Heads of that Party are by our Authors (*b*) ſaid to have been the Earls of *Angus*, *Argyle* and *Lennox*, the Lords *Hales*, *Hume*, *Drummond*, *Lyle* and *Gray*. But I doubt our Authors have miſtaken the Names of ſome of them; for I cannot eaſily believe that the Earl of *Argyle*, who had acted ſo noble and ſo loyal a Part, as I am ſure he did ſome Years before, in Oppoſition to the Dukes of *Albany* and *Gloceſter*, and who probably for that Service had been rewarded with the Office of Chancellor of *Scotland*, could have ſo ſoon after been induced to join the ſame Rebels, whoſe Deſigns he had ſo gloriouſly defeated. And as for the Earl of *Lennox*, if we may believe another of our Authors (*c*), he was ſo far from being one of the Confederates, that on the contrary he took Arms againſt them.

A Party formed againſt the King, and who they were.

How-

(*a*) Hawthornden, p. 164, 165. &c. (*b*) Ferret. f. 399. Leſl. p. 314. (*c*) Hawthorn. p. 187.

However, the King, purſuant to the Reſolutions taken in Parliament, and not believing the Corruption to be ſo general, or ſo mortal, as it really was, iſſued out his Summons, commanding ſeveral Offenders to anſwer according to Law. But his Summons met with no Obedience, ſome tore them in Pieces, and maletreated his Heraulds and Meſſengers, for diſcharging their Offices: Others appeared, but, contrary to the expreſs Oath taken by the Eſtates ſo lately before, with formidable Numbers of their Adherents, Friends, Allies and Vaſſals, in ſo much that a viſible Tendency to an open Rebellion was eaſily perceived in moſt Parts and Perſons by South the *Forth*. Nor were the Shires of *Perth* and *Angus* free from the ſpreading Contagion; the *Grays* in the one, and the *Drummonds* in the other, two great, noble, and, upon other Occaſions, moſt loyal Families, being unhappily poiſoned. They, and they only who reſided by North the *Grampian* Hills and River of *Eſk*, which divides *Angus* and *Merns*, breathed a pure and undefiled Air. For this Reaſon, the King, after having provided his Caſtles of *Edinburgh* and *Stirling* with all Things neceſſary for Defence, reſolved to take a Progreſs to the North. Accordingly he went on Board one of the Ships commanded by the famous Sir *Andrew Wood*, which was lying at Anchor in the Road of *Leith*, with no other Deſign but to viſit theſe Ships, and to be tranſported to the North ſide of the River. But becauſe it had been formerly reported that theſe Ships were to ſet Sail for the *Low Countries*, the King was no ſooner on Board, but his Enemies gave out that he was flying to *Flanders*; and upon that Suppoſition, inſolently preſumed to maletreat his Servants, and to ſeize on his Baggage and Furniture in their Paſſage to the North. Nor did they deſiſt from theſe Outrages, even after it was well enough known that he was landed in *Fife*: On the contrary, they gathered together in greater Numbers, ſurprized the Caſtle of *Dumbar*, furniſhed themſelves with Arms and Ammunition out of his Majeſty's Stores, and overrun the three *Lothians* and the *Merſe*, riffling and plundering all honeſt Men, that is, all ſuch as they ſuſpected to be averſe to their deſperate and ſeditious Courſes.

A D. 1488.

An open Rebellion.

The King in the mean Time continued his Journey, held Courts of Juſtice at *Aberdeen* and *Inverneſs*, and appointed the great Men in thoſe Parts, particularly the Earls of *Huntley*, *Errol* and *Marſhal*, to be in a Readineſs to attend him with all their Vaſſals and Tenents. But before they could be drawn together, a ſurprizing Piece of News occaſioned him to return, with ſuch Forces as were at hand, to the South. He had Advice that the Duke of *Rotheſay*, his own Son and Heir, a Youth of about fifteen Years of Age, had been betrayed into the Hands of the Rebels, who well knowing that the Nation could never be debauched from their Allegiance, unleſs they were impoſed upon by ſome notable Sophiſm, had ſet him at their Head, impudently aſſerting

Duke of *Rotheſay* betrayed into the Hands of the Rebels.

and

and giving out, that his Father's Jealouſies and ſuperſtitious Fears were ſuch, as nothing could allay, but the Death or Impriſonment of the Prince; and that if all Men who had any regard for the Royal Blood and the rightful Succeſſion, did not beſtir themſelves in Time, the King would want a Succeſſor, the Kingdom an Heir, and the Government turn to Confuſion and Anarchy: That the ſame Rage with which his Majeſty was now animated againſt his Son, had already deſtroyed his two Brothers; and who knew, but that after the Prince ſhould fall a Sacrifice to the unreſenting Fury of an inhumane Parent, his younger Sons, the Marquis of *Ormond* and the Earl of *Marr*, might fall under the like Suſpicions, and undergo the ſame Fate? Whether or not theſe bold *Machiavelian* Calumnies, which had their uſual Effects upon vulgar Minds, took any Impreſſion in that of the Royal Youth, I cannot tell. Perhaps he gave ſome Credit to them, and it may be that he was only compelled by Fear and Force to act that unnatural Part, for which nothing but the Greenneſs of his Years, and long, very long and exemplary Penance can excuſe him. But whatever it was that prevailed upon the Prince to comply with the Rebels, it is certain that theſe laſt could never have compaſſed their Ends, if they had not found means to colour their Wickedneſs with his ſeeming Concurrence. But in the Name of Goodneſs! with what Front could theſe Men, who were conſcious of the Duke of *Albany*'s Treaſon, and who had joined with him in an Attempt to alienate the Kingdom, and to dethrone not only the King, but all his Poſterity, even the very ſame Prince his Son, for whoſe Safety they pretended to have ſo great a Concern; with what Front, I ſay, could theſe Men diſperſe thoſe odious Reports which they very well knew had not the leaſt Foundation in, nor appearance of Truth? Nay, after what had paſſed ſo very lately in the laſt Parliament, and after all the gracious Condeſcenſions of the King, with which the Eſtates had been ſo fully ſatisfied, how could any thinking Man be induced to believe an unkind or ill Thing of him? But as bold Calumnies never miſs of meeting with ſome Credit, ſo Providence was diſpoſing Matters towards its ſecret but adorable Ends.

The King raiſes an Army, and the Rebels another.

The King, upon Intelligence that the Rebels were drawn together in a Body not far from *Linlithgow*, paſſed over the *Forth* in Captain *Wood*'s Ships, and being landed near *Blackneſs*, he was immediately joined by the Loyaliſts of the South and Weſt, (*a*) namely the Earls of *Montroſe* and *Glencairn*, the Lords *Erſkine*, *Maxwel*, *Ruthven*, *Sempil* and *Boyd*, who with the Forces which he had brought from the North, were equal or ſuperior to the Enemy; and by the by, this is the ſecond time that ever an Army of Rebels in *Scotland* had the Courage, or rather Impudence, to look their King in the Face. The firſt that did ſo, was commanded by

(*a*) Ferrer. f. 400. Leſly, p. 316.

the Earl of *Douglas*, who appeared in Arms at *Abercorn* againſt
They come under Excommunication, King *James* II. But as that Army did only appear, their Hearts failing them at the ſight of their Sovereign, ſo it is probable that this one would have been ſtruck with the ſame Terror, and perhaps diſbanded of it ſelf, if the King, loath to enter in Blood with his Subjects, had not given way to a Treaty of Accommodation. His Uncle the Earl of *Athole* was the principal Manager of that Treaty, and when it was concluded, he delivered himſelf up as an Hoſtage for the King's Performance of his Part of it to the Lord *Hales*, who ſent him to be kept in the Caſtle of *Dunbar*. What the Articles of this Treaty were, no Author relates; but it appears from that unwarrantable Act of Parliament, which was afterwards made by the Rebels when they got the Power into their Hands, (*a*) that the King did ſubſcribe to certain Articles, which, they ſay, he did not obſerve: And it may be ſo, tho it is more likely that they who firſt broke their Faith and Allegiance to him, did alſo fail in the Performance of their other Obligations. This is certain however, that that Agreement was of no Continuance, nor could it be reaſonably ſuppoſed that it ſhould, ſince the Prince was ſtill detained from his Father, and the true Cauſe of the Rebellion, which, as is ſaid, was nothing but the Apprehenſions of the Rebels, rather augmented than removed.

Matters ſtanding thus between them, the King, being every Day inſulted by the Raſcality of the Town and Country, and
But to no purpoſe. finding himſelf entirely diveſted of his Royal Authority, thought fit to fortify himſelf in the Caſtle of *Edinburgh*, till a Legate ſhould come from *Rome*, and Ambaſſadors from *England* and *France*, either to adjuſt Matters amicably, as he hoped they would, for he had no fear that any indifferent Arbitrator would think him in the wrong; or if that could not be effected, to let the Rebels know that they muſt undergo the Cenſures of the Church, and that both the Kings of *France* and *England* would join their Arms in his Defence. This was to touch them in the quick, being preciſely what they dreaded, and endeavoured to prevent. Their guilty Conſciences told them, That to ſubmit to an Impartial Examination of their Actions, was in reality to lay down their Heads upon a Block: They therefore made haſte to complete their Work, before it was poſſible that he could be aſſiſted by foreign Auxiliaries, and reſolutely told the *French* and *Engliſh* Ambaſſadors, that ſince they could not hope that the King would obſerve any Terms of Agreement, they would accept of none, unleſs he firſt reſigned the Crown in the behalf of his Son. As for the Pope's Nuncio *Adrian* de *Caſtello*, our Authors ſay that he did not come in time. Which may be true; but I ſhall afterwards ſhew, what, it ſeems, they knew not, that the Rebels were actually cenſured and excommunicated for their Rebellion. N. can-

(*a*) Black Acts, f. 83.

cannot tell preciſely at what Time, but am apt to believe, that as they prevented the arrival of Succours from *England* and *France*, ſo they were alſo before hand with the Nuncio. Indeed all their Hopes of Succeſs depended entirely upon the Expedition which they uſed.

The King was in a ſtrong Fort, the Caſtle of *Edinburgh*, which the Rebels had in ſome Meaſure blockaded, but could not beſiege. He had been ſafe, if he had continued there, and, within a few Days, his Enemies would have been overpowered by his own loyal Subjects, who without the Aſſiſtance of Foreigners had driven them to, and perhaps dragged them out of their ſecureſt Receſſes. For the Earls of *Huntley* (*a*), *Errol*, *Marſhal*, *Athole*, *Crawford*, *Rothes*, *Sutherland* and *Caithneſs*; the Lords *Forbes*, *Ogilvy* and *Lovat*, the Laird of *Grant*, and a great many more were on their March at the Head of their reſpective Friends and Dependants, who, had they all joined together, would have made an Army of about 40000 Men. But the King was unluckily adviſed to meet them at *Stirling*, where there was alſo a ſtrong Caſtle, in which he propoſed to wait their Arrival. But *James Schaw* (*b*) the Governor of it proved a Traitor; he ſhut the Gates and denied Acceſs to his Maſter, who while he was conſulting with the Nobility and Gentry about him, what to do upon that Diſappointment, received Advice that the Rebels were at hand. There was no more Room for Deliberation, he muſt either make his Eſcape by Sea, which he might have done, Sir *Andrew Wood* being with ſome good Ships in the River of *Forth* ready to receive him; or he muſt fight the ſuperiour Enemy. He choſe to fight, and ſo both Armies were drawn up in Order of Battle. At firſt (*c*) a great many Showers of Arrows darkned the Air, and carried Swift, but equal Deſtruction to both Sides. They came next to a cloſer Engagement with Lances and Swords; but here the Borderers, commanded by the Earl of *Angus* and Lord *Hume*, had the Advantage, their Lances being by much the longeſt, and their Experience in War the greateſt. To be ſhort, the King's Forces were routed, and he himſelf obliged to flee. But whether his Horſe fell under him, or being wounded and having loſt much Blood, he was not able to ſit on his Horſe, is doubtful; and all that we certainly know of the Matter, is that he was inhumanely murdered in a Mill to which he had retired; ſome ſay by the Lord *Gray*, *Robert Stirling* of *Keir*, and Sir *Andrew Borthwick* an unworthy Prieſt. Fame, ſays *Hawthornden* (*d*), reporteth, that the Prieſt, after Shriving, which I take to be hearing his Confeſſion, ſtabbed him with a Dagger: But I much doubt whether one that was ſo wicked as to take away his Life, would, eſpecially in that Haſte and Hurry, be capable of ſo much Good, as to endeavour the Salvation of his Soul. They of the Sirname of *Stirling*, which is certainly one of the moſt Loyal in the Kingdom, are very much diſſatisfied that any of them

The King is denied Entrance into the Caſtle of *Stirling*.

Engages the Rebels.

Is defeated and killed.

(*a*) Ferrer, f. 400. (*b*) Buchan. p. 439. (*c*) Ferrer, f. 400. (*d*) p. 175.

ſhould be thought guilty of ſuch an infamous Action as the Murder of a King. They ſay that it was not *Robert*, but one Sir *William Stirling* who was Laird of *Keir* at the Time. Nor are they of the Sirname of *Gray* leſs offended upon the ſame Account. And *Ferrerius* (*a*) tells us expreſly, that it was never known who *thoſe ſavage and furious Rebels were* that gave the Blow to the King; *a King*, adds he, *worthy of a much better Fate*. Biſhop *Leſly* and Mr. *Lindſay* of *Pitſcotty* are as reſerved in their way of telling the Story as *Ferrerius*; ſo that, for ought I can ſee, *Buchanan* is the firſt who pretends to know who were the Regicides: And we all know that *Buchanan* was never favourable to Loyal Families, tho it may be that he deſigned to oblige the *Grays* and *Stirlings*, by informing the World what a gallant Action one or two of them had performed. Indeed I would be tempted to think ſo, (for his whole Writings are, ſo far as in him lies, a Vindication of the Thing,) had he not made a deſpicable Prieſt [*Sacrificulus*] as bold and as good a Patriot as they.

By whom uncertain.

Buchanan cenſured.

In this unfortunate Battle, commonly called the Field of *Stirling*, which was fought on the 11th Day of *June* 1488, the 29th Year of the King's Reign, and the 35th of his Age, many worthy Men fell with their Maſter (*b*). The moſt eminent among them were the Earl of *Glencairn*, the Lords *Sempil*, *Erskine* and *Ruthven*, the Laird of *Innes*, *Alexander Scot* Director of the Chancery, *&c.* and more would have had the ſame Fate, had not the confederate Nobility, upon Notice of the Death of the King, with whom alone, as *Buchanan* has it (*c*), they were willing to be thought in War, ceaſed to purſue their flying Country-men. If this be true, the Confederate Nobility were the verieſt Rebels we read of perhaps in any Hiſtory; for all others were ever, at leaſt for the moſt part, unwilling to be thought in War with their Sovereigns, but pretended a Neceſſity to oppoſe evil Counſellors and falſe Countrymen. But here the Quarrel is only with, and againſt the King; they are ſollicitous to preſerve the Lives of all Men, but his! The Prince his Son was of another Opinion; for it is reported that, before the Beginning of the Action, he gave out expreſs Orders, that none ſhould preſume (*d*) to lay violent Hands upon the King his Father. Unfortunate Youth! he knew not that the Death of his Father, upon which alone the Lives and Fortunes of thoſe who pretended to own him as their Commander, was the only End and Scope of the War. He is alſo ſaid to have wept bitterly (*e*) when he heard that his Orders had been diſobeyed, and that, tho he began to underſtand that to expreſs a prepoſterous Grief, was to endanger his own Life, without recalling that which was loſt, yet he appeared for ſome Time inconſolable, good Nature and filial Piety prevailing over all thoſe other Conſiderations that had forced or deluded him into a Compliance

Noblemen and Gentlemen killed with the King.

Behaviour of the Prince before and after the Battle.

(*a*) f. 401. (*b*) Ferrer, f. 460. Hawthorn. p. 176. (*c*) p. 439. (*d*) Ferrer loc. cit. (*e*) Ib. p. 401.

pliance with the Rebels. However, to alleviate his preſent Affliction, the Rebels paid him all the outward Appearances of Reſpect and Submiſſion due to their King, and with great Pomp and Solemnity interred the Corps of his Father, near to that of the Queen his Mother, in the Abbey Church of *Cambuskenneth*.

In this Manner was the grand Work, which had been commenced by the Earls of *Douglas* in the preceding Reign, and which from the very Beginning of this Reign, had been carried on with unwearied Obſtinacy by much the ſame Faction of the Nobility and Gentry at Home, and ſupported by a great King Abroad, *Edward* IV. of *England*, at length completed. And this was the firſt ſucceſsful Rebellion that ever was made by *Scotſmen* againſt their unqueſtionably lawful Sovereign: A Rebellion highly magnified, as a juſt and legal Vindication of the Liberties of the People and Rights of the Parliament, by all Antimonarchical Authors, and tho of a very modern Date (for it was perfected exactly 200 Years before the late Revolution,) made uſe of as an Argument to prove (*a*), that by the old Conſtitution of the Kingdom, the Eſtates had Power to reſiſt the Sovereign, and to call him to give an Account, at their Bar, of his Adminiſtration. I have again and again confuted, I think, beyond the Poſſibility of a judicious Reply, that Antichriſtian, as well as Antimonarchical Aſſertion: But becauſe two Matters of Fact which I had not Occaſion to examine before are urged againſt this King *James* III. and conſequently all his Predeceſſors and Succeſſors Kings of *Scotland*, I humbly conceive this is the proper Place to take Notice of them. The one is, That King *James* III. was *obliged by his Parliament to ſtitch the Earl of* Morton*'s Charter upon the Throne, where he tore it in a tyrannical Manner, becauſe of the large Royalties and Privileges it contained.* I wiſh the Author would cite a good Voucher for that Fact, otherwiſe he muſt pardon me, if I do not believe it. The other Fact inſiſted upon is true, and it is this. The ſame Rebels who had murdered the Father, and ſtill kept the Son, a Youth not full ſixteen Years old, in their Cuſtody, met at *Edinburgh* on the 6th of *October*, about four Months after the Parricide was committed, and calling themſelves a Parliament, took ſuch Meaſures, and made ſuch Laws, as they thought neceſſary towards the great End for which they had plotted againſt, and fought with, and murdered their Sovereign, I mean the Impunity of their Crimes. Amongſt other Contrivances for this Purpoſe, they made an Act, entituled, *The Propoſition of the Debate of the Field of* Stirling, which the Author of the Book above cited has faithfully tranſcribed, (for ſometimes he quotes fair;) and that I may not ſeem to leſſen the Weight of his *killing* Argument, I ſhall do the ſame.

Antimonarchical Authors confuted.

" *Item*, In this preſent Parliament our Soverane Lord beand " preſent, togidder with his thre Eſtatis of the Realm, was pro-

(*a*) See the ancient Rights of Scots Parliam. from p. 3. to 16. (*b*) Black Acts, f. 83. cap. 14.

" ponit the Debait and Cauſe of the Field of *Striviling*, in the " quhilk Umquhile *James* King of *Scotland*(quhome God aſſolzie) " Father to our Soverane Lord, happinit to be ſlane, and the " Cauſe and occaſion thereof commonit, oppinnit and arguit a- " mang the Lords of the thre Eſtates, *John* Lord *Glammis* pre- " ſentit and ſchew certane Articles ſubſcrivit with the ſaid Um- " quhile King *James* Hand; the Tenour of the quhilks followis, " &c. the quhilks beand red, and ſchawin that the ſaidis Articlis " was divers tymes grantit to, and brokin be perverſt Counſal of " divers Perſounis being with him for the Tyme, quhilkis counſal- " lit and aſſiſtit to him in the inbringing of *Ingliſmen*, and to the " perpetual Subjectioun of the Realme, and under diſſait and " Colour maid, and refuſit, and that our Soverane Lord that now is " ever conſentit for the Gude of the Realme and the commoun " Proffeit thairof (for the quhilk the Erle of *Huntlie*, the Erle of " *Erroll*, the Erle *Merchal*, the Lord *Glammis*, and uthers divers " Barronis and uthers the Kingis trew Liegis left him, and his " diſſaitful and perverſt Counſal, and adherit to our Soverane " Lord that now is, and his trew Opinioun for the commoun " Gude of the Realme,) the quhilk Mater beand ſchawin, exa- " minat, commonit, and underſtanding be the thre Eſtatis, and " the hail Body of the Parliament, thay ryplie aviſit, declarit and " concludit, and in thair Lawteis and Allegeance, ilk ane for him- " ſelf declairit and concludit, THAT the Slauchter committit and " done in the Feild of *Striviling*, quhair our Soverane Lordis Fa- " ther happinnit to be ſlane, and uthers divers his Barronis and " Liegis was allutterlie in thair Default, and colourit Diſſait done " be him and his perverſt Counſal, divers Tymes befoir the ſaid " Feild: And that our Soverane Lord that now is, and the trew " Lordis and Barronis that was with him in the ſamin Feild, war " innocent, fre and quyte of the ſaid Slauchters done in the ſaid " Feild, and all perſuit of the Occaſioun and Cauſe of the ſamin: " And that part of the thre Eſtatis foirſaidis, Prelatis, Biſchoppis, " greit Barronis, Burgeſſis gaif thair Seillis heirupone, togidder with " our Soverane Lordis greit Seil to be ſchawin and producit to " our haly Father the Pape, the Kingis of *France*, *Hiſpanzie*, *Den-* " *mark* and uthers Realmes, as ſall be ſeen expedient for the Tyme.

This is indeed a moſt ſcandalous, diſloyal and murdering Act; but Thanks to God, it is the only diſloyal Act which was ever made in a *Scots* Parliament, where an undoubtedly lawful Sovereign did preſide. I ſay ſo, and I defy the World to ſhew another, which, if rightly underſtood, has the leaſt Tendency towards encouraging, much leſs impowering any of, or all the Subjects together, whether aſſembled in Parliament, or otherwiſe, to reſiſt their Kings by Force of Arms. Such others as are culled out and detorted to prove that odious, abominable, and till about the Days of *Buchanan*, unheard of Doctrine, I have upon other Occaſions ſuffi-

ſufficiently explained. But what elſe could be expected from a Sett of Rebels juſt then beſmeared with Royal Blood? They had, contrary to all known Laws Divine and Humane, got the Power into their Hands; what leſs could they do than to ſecure it, together with their Lives and Fortunes, by a new Law, or at leaſt the Shadow or Pretence of Law? But to me it ſeems a great Queſtion, whether they could make a Law or no, I mean whether or no they were a Parliament. I know they called themſelves ſo, and that the King, whom they had made a Copartner of their Guilt, was at their Head: But he was evidently under the ſame Compulſion and Violence, that had forced or tricked him from the Caſtle of *Stirling* about nine Months before, and by Conſequence a Priſoner; and, if he was a Priſoner, I humbly conceive, they were no Parliament: For a Parliament cannot be, unleſs the King be free to call or diſſolve it, and to ratify or reject its Deliberations, as he thinks fit. Beſides, he was alſo a Minor, and how far Acts even of lawful Parliaments, made during the Minority or Nonage of Sovereigns, may be conſidered as Precedents fit for Poſterity to imitate, I do not pretend to determine. One Thing I may poſitively aſſert, that the Parliament in which that Act was paſſed, was not full; the moſt and beſt Part of thoſe who were wont, and had a better Right (if any had ſuch a Right,) to ſit there, than they who did ſit, not daring to appear; but on the contrary, being, as I ſhall afterwards evince, driven by their juſt Indignation, and not altogether unjuſtifiable Deſpair and Reſentment, either to retire from further Harm, or to take Arms in Revenge of the injured Monarchy, the violated Laws and the broken Conſtitution of their Country. But what, in my Opinion, puts it out of all doubt, that this Parliament was really no Parliament at all, is this. It was at leaſt for the moſt Part compoſed of Men who had been declared to be Rebels by a lawful King; and I hope no Body will ſay, that Rebels denounced and proclaimed ſuch, can ſit and vote in Parliament, till the Sentence pronounced againſt them be by a legal Authority reverſed, or at leaſt a Remiſſion obtained. Now, whether a rebellious Few, with a Boy at their Head, and that Boy in Reality a Priſoner, tho otherwiſe their rightful Sovereign, can be thought a free, full and legal Parliament, fit for, and capable of making Laws, I leave it to the unbiaſſed Reader to judge. But the Truth is, they neither deſigned to make a new Law, nor to abrogate old ones, nor, I believe, to give an imitable Precedent to Poſterity. All they meant was, to paſs an Act of Indemnity in their own Behalf, and to declare themſelves, in the beſt Form and Manner they could deviſe, *innocent, fre and quyte of the Slauchter done in the Feild of* Striviling *and of all perſuit of the Occaſioun and Cauſe of the ſamin.* This is the eſſential Part, and indeed the whole Deſign of the Act, as it had been of the Crime, that made that Act neceſſary, ſo neceſſary, that without it, they could not hope to live;

much leſs to enjoy the Fruits of their Treaſon, I mean the Wealth, and Power, and Places to which they had ſo long aſpired, and now began to enjoy.

Since the Act was neceſſary, they had reaſon to make it as plauſible as poſſibly could be; and therefore they declared that it was not their Fault, but that of the King himſelf and his wicked Counſellours, that his Majeſty and ſeveral of his Barons and Lieges were killed in the Field of *Stirling*. As this is abſolutely falſe, and from authentick Records, and many Acts of lawful Parliaments by me proved to be ſo; ſo it is, in the higheſt degree imaginable, impudent: For it is certain that no Fault of the King, as long as he is a King, can entitle his natural Subjects to kill him. He is accountable to none but God, who alone can ask of him *What doſt thou*? The Contrivers of the Act knew this very well, and for that Reaſon very cunningly inſinuated, that he had unkinged himſelf before they offered to take Arms againſt him. How ſo? He had endeavoured *to bring in* Engliſhmen *to the perpetual Subjection of the Realm*, that is, he had reacted the Part of King *John Baliol*; and they, in Imitation of their glorious Anceſtors, (*a*) who declared, *That while an hundred* Scotſmen *remained alive, they would never be ſubject in any manner of way to the Dominion of* England, were bravely reſolved *to expel as their Enemy and the Subverter of his own Right, any ſuch King as would go about to ſubject them and the Kingdom to the King and Kingdom of* England. Very well ſaid, if it had been true; for a Subject King is really no King at all, at leaſt our Anceſtors thought ſo, and acted accordingly. But what a monſtrous unparallelled Impudence was it in them to ſuggeſt any ſuch thing? In them, I ſay, who had actually ſworn, and obliged themſelves under their Hands and Seals, to endeavour *the Conqueſt of* Scotland, to dethrone King *James* and his Poſterity, to ſet up the *Duke of Albany*, an Uſurper, to acknowledge him King of *Scots by the Gift* of the King of *England*, and even in caſe of his Death without Iſſue of his own Body, never to live under the *Liegance* of any but the ſaid King of *England*? Had King *James* done any ſuch thing as theſe, or is it poſſible that he would, while poſſeſſed of his Reaſon and Senſes? It is true that he had made a Truce, and deſigned to enter into an Alliance with *England*; and why not? It may be, that he would alſo have made uſe of that honourable and advantageous Alliance, to bring his own ſeditious Subjects to Reaſon. If he had any ſuch Thoughts, who could blame him? None, I am ſure, but theſe very Men who now accuſe him of the Crimes themſelves had committed, and who, to prevent the Diſcovery and Puniſhment of them, gave Battle to, and murdered their King. But,

He had broken the Articles which he himſelf had ſubſcribed and conſented to, and therefore the Earls of *Huntley*, *Errol*, *Mar-*

(*a*) See Vol. 1. p. 610, 631, 632.

ſhal, and the Lord *Glammis* left him, and adhered to his Son. This, I believe, was purpoſely aſſerted to ſoften theſe great Men into a Compliance with the new Government; and it is probable, that when a ſort of an Agreement was made at *Blackneſs*, the Earls of *Huntley*, *Errol*, &c. did with the King's Permiſſion go over to the Enemy's Camp, to ſee and wait upon the Prince; but that they did really deſert the one, or adhere to the other, any longer than the Agreement laſted, or the King had a mind, cannot be true, unleſs what our Authors ſay of their raiſing a great Army in his Majeſty's Defence, and being on their March to join him, when the Field of *Stirling* was fought, be falſe. The truth of the Matter ſeems to be this: When the Earls of *Huntley*, *Errol*, &c. underſtood that his Majeſty was killed, and that his lawful Son and Heir had ſucceeded him in the Throne, they thought it unlawful in them, as indeed it had been, to reſiſt the Ordinance of God and Laws of the Land; for which Reaſon they disbanded their Men, and dutifully ſubmitted to their Hereditary Monarch; perhaps alſo came to the Parliament, and rather than become Rebels in their Turn, complied with the after-Meaſures of thoſe who had been ſuch. But there were others of a very different Opinion, and who they were, and what they did, I ſhall relate in the beginning of the next Reign. As for the pretended Breach of the Articles of Agreement, I can ſay nothing to it: Few Sovereigns think themſelves bound to obſerve extorted Agreements with their Subjects; nor ought Subjects to preſs too hard Things upon, much leſs to extort them by Violence and Force from Sovereigns; and who knows but that this Charge of Falſhood and Breach of Faith may be calumnious as the reſt.

In fine, the Parliament well knowing how abominable their Actions would appear in the Eyes of all foreign Princes and States in Amity with *Scotland*, appointed the Act, which they had made for their Vindication and Indemnity, to be engroſſed, ſealed and ſent to the Pope, the Kings of *France*, *Spain*, *Denmark*, &c. They did well to add, *As ſall be ſeen expedient for the tyme*; for at that time it was not expedient to offer ſo much as a Vindication or Excuſe to theſe Princes. They were all under the Cenſures of the Church, and by Excommunication cut off from the Body of Chriſt, in ſo much that no Chriſtian Prince, much leſs the Allies and Friends of their injured Maſter, would admit them into his Preſence, till they had firſt purchaſed Forgiveneſs and Abſolution of their Crimes, not by Acts of Arrogance, Power, and Contempt of Sovereignty, ſuch as this was, but by an humble Acknowledgement of their Wickedneſs, an exemplary Penance and Expreſſions of a ſincere Sorrow and Contrition for what they had done. No leſs, it was then thought, could appeaſe the Wrath, or ſatisfy the Juſtice of Heaven; and to no leſs did they themſelves at length ſubmit. This is evident from a Bull of Pope

Innocent (*a*) dated at *Rome* the 27 Day of *June* 1491, the ſeventh Year of his Pontificate, and directed to the Abbots of *Paiſly* and *Jedburgh*, and to the Chancellour of the Church of *Glaſgow*; wherein his Holineſs tells them, "That upon Advice that ſome "Lords of the Kingdom of *Scotland*, both Spiritual and Temporal, "had revolted againſt King *James* III. of famous Memory, he "had cauſed them to be cenſured, and that all they who had "been preſent at the Battel where the King was killed, or who "by their Advice, Counſel, Support, or any other manner of "way, had been aſſiſting to that Party, or who, tho not of that "Party, had nevertheleſs pretended to be ſo, that they might make "Advantage by the King's Loſſes, conceiving themſelves to have in-"curred the ſaid Cenſures, had now with many Expreſſions of Re-"gret and Sorrow, petitioned him for Abſolution; He therefore im-"powers the Abbots above-mentioned, and Chancellour of the "Church of *Glaſgow*, to abſolve and reunite to the Body of the "Church, all ſuch as, being truly Penitent and ſorry for theſe "Crimes, ſhall be willing to undergo ſufficient Penances. From this it is plain, that the very Men who framed and made that ſo much boaſted of King-killing Act, did not in their own Conſciences think that they really were, what they declared themſelves to be, *innocent, free and quite of the Slaughter done in the Field of* Stirling. This alſo ſhews, that *Paſſive Obedience and Nonreſiſtance* was the Doctrine of the Church at that time: Which is further confirmed by the Writings of *Leſly* and *Ferrerius*, the one a Biſhop, and the other a Prieſt of the Church of *Rome*; who, tho through Miſinformation and Want of the light of Records they very much condemn moſt part of the Actions, Conduct and Adminiſtration of King *James*, yet tell us, that the Arms which his Subjects took up againſt him (*b*) were *Impious*, and, as the Church and Churchmen taught, ſo all others believed. Witneſs the Rebels themſelves, who afterwards acknowledged their Crime, and did Penance for it; witneſs the Prince, I mean King *James* IV. who, according to all Authors, girt himſelf by way of Penance with a Chain of Iron, to which he added one Link every Year as long as he lived; and Witneſs, among many other Loyaliſts, the brave Lord *Lindſay* of *Byres*, whoſe bold and free Speech to the young King and Rebels after the Parricide was committed, I cannot forbear to ſet down in this Place, becauſe it may be very reaſonably conceived that he ſpoke the Senſe of all good Men in the Nation at that time. The learned Prefacer to the Works of *Hawthornden* has tranſcribed it from an old Manuſcript written by *Lindſay* of *Pitſcotty*, and I ſhall do the ſame.

"Ye are all *Lurdanes*, my Lords; I ſay, ye are all falſe Trai-"tors to your Prince: And this I dare prove with my Body on "any one of you which hold you beſt, from the King's Grace "down

(*a*) In Bibl. Jurid. Edin. (*b*) Ferrer. f. 401. Leſly, p. 316.

" down. For ye, falſe Lurdanes and Traitors, have cauſed the " King, by your falſe Sedition and Conſpiracy, to come againſt " his Father in plain Battle, where that noble Prince was cruel- " ly murdered amongſt your Hands; tho ye brought the King " in Preſence for your Behoof, to make him the Buckler of your " Enterprize. Therefore, falſe Lurdanes, if the King do not " puniſh you haſtily for that Murder, ye will murder himſelf " when ye ſee Time, as ye did his Father. Therefore, Sir, (*he now ſpeaks to the King*,) beware of them, and give them no Credence; " for they that were falſe to your Father, can never be true to your " ſelf. Sir, I aſſure your Grace, if your Father were living, I would " take his Part and ſtand in no Awe of falſe Lurdanes: And like- " wiſe, if ye had a Son that would be counſelled to come in Bat- " tle againſt you by evil Counſel of falſe Lurdanes, like thir, I " would take your Part againſt them, and fight againſt them in " your juſt Quarrel, even with three againſt ſix of them; and thir " falſe Traitors which cauſe you to believe Ill in my Hands, I " ſhall be truer at length to your Grace, nor they ſhall.

No Man could ſpeak, or think, or act better: And here we ſee that the *Scots* underſtood the Rights of Monarchy and the Duty of Subjects in thoſe Days as well as the *French*, *Swedes*, or *Spainards* do now. We had been to this Day independent, wealthy and glorious beyond our Wiſhes, if the ſame Spirit of Loyalty, Honour and Chriſtianity had dwelt among us. But alas! a great many, even of the Thinking and more polite Part of the Nation, have been ſince debauched into ruinous and ſlaviſh Principles, and by none ſo much as the pretended Aſſertors of Liberty, Property and true Religion. But I would adviſe them to forbear inſiſting upon Records or Acts of Parliament; for even this Act, the very worſt, and indeed the only diſloyal one that ever was made in *Scotland*, (I except ſome few, which, being made by the ſame Men, at the ſame Time, and for the ſame Ends, muſt needs be ſomewhat of a Piece with it,) will not ſerve their Turn. For I have proved that it was not an Act of Parliament, the Makers of it being Rebels and Outlaws at the Time, the King a Priſoner and a Minor, the Body and Bulk of the Nation abſent and diſſenting from it, the Church anathematizing its Authors, and theſe Authors having afterwards diſclaimed it, craved Pardon, done Penance, and with great Demonſtrations of Sorrow owned the very Reverſe of what it aſſerts, *viz.* that they were not *innocent*, nor *free*, nor *quyte of the Slaughter done in the Field of* Stirling; but that on the contrary, they had heinouſly offended for being there, and were for that Reaſon moſt juſtly *cut off from the Body of Chriſt*. But ſays the Author of the ancient Rights and Power of the Parliament (*a*), *It is known to be the Conſtitution of* Scotland, *that our Kings may revoke any Thing they have done to the Damage of their Crown during their*

(*a*) p. 9.

Minority, when they come to full Age, which is 21, and King *James* IV. *never offered at abrogating the Act, for he knew too well that the common Law of the Kingdom was for it.* Should I anſwer to this, that he needed not, becauſe it was really no Act of Parliament at all, and had been ſufficiently diſclaimed by the Humiliation, Penance, *&c.* of the Rebels that made it; or ſhould I ſay, that, it being an Act of Indemnity, King *James* IV. could not reſcind it without alarming the whole Party, commencing a civil War, and renewing all the Calamities of his Father's Reign, I humbly conceive that I would ſay enough to the Purpoſe: But I can ſay more; (and it is Matter of Wonder to me that no Body, ſo far as I know, has taken Notice of it before,) King *James* IV. did actually revoke, reſcind and abrogate that criminal Act, in Words as plain as Words can be. They are theſe (*a*), "On which Day (*viz.* the "11th of *March* 1503-4) the moſt excellent and ſuperior Lord "our King, with Conſent and Aſſent of the three Eſtates, did re- "voke, reſcind and annul all Donations of Lands--- *all Acts and* "*Statutes of Parliament or his general Council*, and all other Things "done at any Time bypaſt, by himſelf, or by others in his Name, "to the Prejudice, Damage, Detriment or Hurt of the Catholick "Church, his Soul or his Crown; and he has declared all ſuch "Donations, Conceſſions, Acts and Statutes to be recalled and "conſidered as if they had never been made, (*pro non factis haberi* "*vult*, are the Words he makes Uſe of,) and has appointed them "to be *cancelled and delete* out of all Books and Records". Now, what could be thought more prejudicial to the Catholick Church (I take the Church as it was then conſtituted,) than an Act or Deed, for which all concerned in it, directly or indirectly, had been excommunicated deſervedly, as they themſelves acknowledged, by the Church? And what could be more hurtful to the King's Soul, than that ſame Deed, for which he mourned, and chaſtized himſelf in ſo exemplary a Manner, till the Hour of his Death? In fine, what could be more derogatory to the Crown, than a Statute by which the Crown it ſelf ſtood in ſome Meaſure attainted, and the King laid open to the Rage of a lawleſs Mob? For what elſe can even Noblemen or Gentlemen pretend to be, when they meet, and fight, and kill, without any Commiſſion or Warrand from Authority or Law; nay, rather in Oppoſition to, and in defiance of both. Beſides, it is obſervable that this Revocation was made when the King was full thirty one Years old, ſo that, I humbly conceive, it cannot be reckoned among thoſe general ones, which all Kings were wont to make at the Age of 21, or, as the Lawyers expreſs it, *intra annos utiles*. And if it be objected, that the Act in Queſtion is not expreſly mentioned in this Revocation; the Anſwer is eaſy: It could not, nor ought to have been mentioned, it was ſo infamous and ſo execrable, that the judicious King, and with him the Wiſdom

(*a*) Black Acts, f. 109.

Wiſdom of the Nation, knowing, that to mention it in particular, was to preſerve its Memory, ordered it and all others relating to it, *to be cancelled and delete out of all Books and Records*, that is, never to be mentioned, nor ſpoken of: And yet the Author of the Rights of the Parliament (*a*) is very angry that it was left out of the Acts, when they were reprinted by Order of King *James* VI. but is perfectly well pleaſed to find it among thoſe printed by Order of his Mother Queen *Mary*, commonly called *The Black Acts*, becauſe they are printed in a black Letter; whereas we ſee that in Truth they who did compile thoſe Black Acts, did amiſs in publiſhing this Act, or any others relative to it; and as Sir *George Mackenzie*, no incompetent Judge of theſe Matters, very well obſerves (*b*) in the new Collection of our Statutes, made by *Skene*, and authorized in many ſubſequent Parliaments, that abominable and treaſonable Act is not inſerted, which was the beſt way, ſays he, to reſcind it, becauſe it was thought a Reproach to the Nation, to have any formal Law made to reſcind the Statute, which would have preſerved its Memory, in annulling its Authority. He adds, that many Statutes, ſince that Time, have been made, declaring the riſing in Arms againſt the King upon any Pretence whatſoever, to be Treaſon, and expreſly reſcinding all Acts and Statutes to the contrary, as rebellious and treaſonable. Among the reſt, the fifth Act of the firſt Parliament of King *Charles* II. is a full and plain Revocation of all ſuch: It ends with theſe Words, *and declares the ſame (diſpenſing with the generality, and holding all the Particulars as* verbatim *herein inſerted,) to be void and of no Force nor Effect in Time coming.* From all which it is evident, that they, who give out that there is an Act of Parliament authorizing Reſiſtance, to this Day unrepealed in *Scotland*, are, to ſay no worſe, inexcuſably ignorant. I come now to the Character of that injured Prince, whoſe Life I have written, and, I think, ſet in a true Light.

Character of K. *James* III.

If we may believe *Ferrerius* (*c*), who lived near to his Time, he was the handſomeſt Prince of that Age, all the Parts of his Body being exactly well proportioned, and beſpeaking a great deal of Vigour and Strength: Beſides, he had a noble Preſence, and a lovely Countenance, which denoted his uncommon Humanity; for he was ſo far from being of a ſowr, moroſe, or cruel Temper, as ſome Authors have aſſerted, that, on the contrary, he was rather too affable, eſpecially to Men of Learning and Parts, in whoſe Converſation he much delighted, and whoſe Acquirements he endeavoured to apply towards improving the Court and Country. Nor were his Endeavours that way unſucceſsful, notwithſtanding the Oppoſition he met with from the jealous and unquiet Nobility: For, as *Hawthornden* (*d*) obſerves, the rareſt Frames of Chapels, Churches, Halls, Palaces and Gardens were moſtly raiſed about

(*a*) p. 7, 8. (*b*) See the juſt Right of Monarchy, p. 131. (*c*) f. 401, 402. (*d*) p. 178, 179, &c.

his Time. Muſick became faſhionable, and polite Learning more univerſal, than it had ever been in *Scotland* before. No Man in the World was more averſe from letting out even guilty Blood, than he, as appears from the frequent Entreaties of his Parliament, that he would be pleaſed to forbear giving Remiſſions to Delinquents: And *Ferrerius* tells us, that he was ſlower to puniſh than good Policy required. He adds, that he gave many Proofs of his ſincere Piety, and unfeigned Devotion; that he aſſiſted frequently at divine Service; that he had a ſingular Pleaſure in hearing good Preachers, and that he would ſtand bareheaded while the Sermon laſted; an humble and religious Practice, which the Prince his Son learned from him, and imitated as long as he lived. We are alſo told (*a*), that during his Reſidence at *Edinburgh*, he was wont to come in Proceſſion from the Abbey of *Holy-rood-houſe*, to the Churches in the high Town every *Wedneſday* and *Friday*; and that he did not this out of Hypocriſy or Policy to dazle the Eyes of the Vulgar, the Application of his Wit and Power to the Adminiſtration of ſtrict Juſtice, eſpecially towards the End of his Days, did prove: For, purſuant to the Promiſes he had made in Parliament, he forbore giving Remiſſions, took effectual Methods to cruſh the Inſolencies of Oppreſſors, to defend the innocent and poor, and to keep all Men, eſpecially the more riotous and unruly Borderers, in Subjection to the Laws; for which Ends he ſat daily in Council, and attended all Affairs of Conſequence in Perſon, ſo that if it be true, that in his younger Days, he ſuffered himſelf to be carried away from the grand Concerns of the Kingdom, and the innocent Embraces of his excellent Queen by ſinful Intrigues with the Beauties of the Court, or idle Divertiſements with odious Favourites, we ſee that he began very early to atone for theſe Failures; I ſay very early, for, tho he reigned 28 Years, he lived but 35, and had he lived longer, it cannot be doubted, conſidering his Application to Buſineſs, his perfect Agreement with his two laſt Parliaments, and conſequently with the Bulk of the Nation, his ſtrong Caſtles and not deſpicable Navy, his good Intelligence with the Pope, his ſtrict Confederacy with the Kings of *France* and *Denmark*, and his very near finiſhed Alliances with the Royal Family of *England*; conſidering all theſe Things, I ſay, it cannot be doubted, but that, if he had lived longer, he would have put it out of the Power of all Mortals to attempt any Thing againſt his Perſon. And what great Matters he would have done for the Glory of his Crown and the Intereſt of his People, we may eaſily judge by theſe which he had done before in Defiance of a moſt valiant, powerful, encroaching and faithleſs Neighbour King *Edward* IV. two brave, and therefore the more dangerous, becauſe unnatural, Brethren, and a deſperate Faction of the Nobility and Gentry, ſtrictly combined to tra-

(*a*) Hawthornden, p. 162.

raverſe all his Deſigns. He regained the ſtrong Town and Caſtle f *Berwick*, after it had been about 130 Years in the Hands of the *Engliſh*, and coſt to both Nations immenſe Treaſures and Deluges of lood: It is true that that celebrated Place was again retaken from im, but that was the Fault of the mutinous Nobility who de- rted him, and not his. He freed the Nation from a heavy ebt, called The Annual of *Norway*, the very Arrears of which ey were ſcarce able to pay. He procured the numerous, and, well managed, rich Iſlands of *Orkney* and *Shetland*, to be as good annexed to the Crown of *Scotland*. He waged three different Vars with *England*, and made four different Kings of that Realm, *Henry* VI. *Edward* IV. *Richard* III. and *Henry* VII. ſenſible that the nly Way to vanquiſh ſo brave a Nation as the *Scots* then were, was corrupt their Nobility with Gold, and thereby to divide them nong themſelves; or, if that Method failed, as, by the Bleſſing f God, and the Vigilance of the King, it did, to court their riendſhip, and by frequent inter-Marriages between the two oyal Families, to leave it to the Determination of Time and rovidence, which of them ſhould at length inherit the whole I- and. He ſecured the Crown, the Kingdom, his own Perſon, and ie Hereditary Right of the Royal Succeſſion, againſt the ſecret ractices and open Attempts of the King of *England*, the Dukes of *loceſter* and *Albany*, the Earls of *Douglas*, *Roſs*, *Orkney*, *Angus*, &c. He aniſhed the Duke of *Albany*, kept the Earl of *Douglas* at Diſtance broad, and at Home in a Monaſtery, and brought the too potent arls of *Orkney* and *Roſs* to Reaſon, the laſt eſpecially, whoſe An- eſtors had never fairly ſubmitted to the Crown or Kings of *Scot- nd*, but dealt ſo gently with them, that, inſtead of taking their ives and extinguiſhing their ancient and illuſtrious Families, he on- removed the Temptation their too great Power had given them rebel, but left their Poſterity in ſuch a Condition, as has ſince nclined and enabled them to be grateful, that is, eminently Loy- l. He alſo defeated the aſpiring Deſigns, and puniſhed the un- ıſtifiable Practices of the *Boyds*, yet preſerved the Family, in ſo uch that the Son of the forfeited Earl of *Arran*, was made a ord of Parliament by the Title of Lord *Boyd*, for which Act of irace, that young Nobleman was ſo grateful, that he ever ad- ered to and fought for his Benefactor againſt the diſcontented arty; and tho the Lands of *Kilmarnock* remained, during all his ifetime, and long after, annexed to the Crown, yet a Gentleman f the Name of *Boyd*, collected the Revenues, and by his loyal Be- aviour teſtified that no Injuſtice had been done. By theſe Means e kept the Nobility within Bounds, and had very good Reaſon, nce he knew how troubleſom their exceſſive wealth and nume- ous Dependents had been to himſelf, his Father and Grandfather. or this, but more particularly becauſe of their own Crimes, which ere indeed too great to be pardoned, the Nobility, at leaſt a Part

of them, hated, calumniated and purſued him to death. To conclude, King *James* III. had as few Faults as perhaps any of his Anceſtors (*Malcolm Canmore* and St. *David* excepted,) and he did greater Things in Behalf of the Crown and Country, than any of them had done, ſince the Days of King *Robert* II. He was indeed the moſt unfortunate of any, who, ſince Hiſtory can be depended upon, had ſwayed the Sceptre of *Scotland*: But his Misfortunes were in no Degree owing to himſelf, but meerly to the Iniquity of the Times, the many bad and freſh Examples given to the *Scots* Nobility by their Neighbours in *England*, his long Minority and a relentleſs Faction of Hereditary Rebels, which was formed before he was born, and whoſe Safety depended upon his Deſtruction.

His Iſſue. He left three Sons behind him, *James* who ſucceeded him in the Throne, *Alexander* created by him Marquis of *Ormond*, Earl of *Roſs* and Lord of *Brechin*, but afterwards made Duke of *Roſs* by the King his Brother, and provided to the Archbiſhoprick of St. *Andrews*, and *John* Earl of *Marr*. The two laſt died without Iſſue.

His *Deviſe*. He bore for his Impreſs or *Deviſe* (*a*), an Hen ſheltering her young Ones under the Cover of her Wings; The Word, *Non dormit* He had a ſecond *Deviſe*, which was Two well ſpread Rocks placed in the midſt of a moſt tempeſtuous Sea; The Word, *Durabo*: And when he ſaw his Son in Arms againſt him, he took a Third, *viz.* a large growing Vine-tree, watered with Wine, which, inſtead of cauſing it to ſprout and grow, makes it fade and wither; the Word, *Mea ſic mihi proſunt*.

(*a*) Keep's Geneal.

THE

THE Life and Reign OF JAMES IV. THE *Hundredth and Fifth King of* Scotland.

KING *James* IV. a very hopeful Youth, was crowned by the rebellious Party (*a*) on the 24th of *June* 1488, thirteen Days after the Slaughter of his Father; and it is probable that many of the Loyaliſts, ſuch as the Earls of *Huntley*, *Errol*, *Marſhal*, &c. who very much regreted, but could not recal what was paſt, aſſiſted at his Coronation. Others in ſome Meaſure undutifully abſented themſelves; and there were thoſe, who, being poſſeſſed with Indignation and Anger, abſolutely refuſed to comply with any Meaſures, but ſuch as were ſuitable to their intended Revenge. The brave Sir *Andrew Wood*, (probably a Cadet of the ancient Family of *Bonnington* in *Angus*, which is yet extant, and very well repreſented by the preſent Sir *James Wood*, Brigadier and Colonel of a *Scots* Regiment in the Service of the *States General*,) was the firſt Man who reſented the Death of his much beloved and generous Maſter. He lay with his two Ships at Anchor, not far from the Field of Battle; but not being able to do any Service at that Diſtance, he came with a competent Number of his Men in long Boats to the Shore, hoping to ſhare in the Dangers of the Day: But he came too late, and therefore returned with all convenient Diligence to his Station at Sea. This was taken Notice of (*b*) by ſome of the prevailing Party, who not knowing of the Murder of the King, conjectured that he had made his Eſcape, and gone on Board of Sir *Andrew*'s Ships. The Prince (for ſo was King *James* IV. yet called,) being deſirous to know the Certainty of the Matter, ſent to Sir *Andrew*, inviting him to come aſhore, in Order to ſpeak with him: But he refuſed to comply with that Requeſt, unleſs good Hoſtages were delivered to him for his Security. Accordingly the

A.D. 1488. King *James* IV. crowned.

Sir *Andrew Wood* his Bravery and Loyalty.

(*a*) Holinſhed, p. 408. (*b*) Buchan. p. 440, 441.

ords, *Seton* and *Fleming*, were ſent on Board the Men of War, and ir *Andrew* being thereby ſecured, came and waited on the Prince t *Leith*. He was asked, what he knew concerning the King, and whether he had not made his Eſcape by Sea, and who had been n theſe Boats, which had been obſerved to ſail from and back to is Ships on the Day of Battle. He replied, that he knew nothing f his Majeſty, but that he himſelf with ſome other Loyal Men had een in theſe Boats with a Deſign to have landed and defended the ife of their Royal Maſter, to whom alone, if he was ſtill alive, ey owed, and would pay Allegiance; if not, that they were eſolved, as one Man, to revenge his Death. He ſpoke ſo boldly, hat nothing but the Concern which they about the Prince, or ra- ier the King, had for the Safety of the two noble Hoſtages have mentioned, would have prevailed with them to diſmiſs im. When he was gone, they called the Inhabitants of *Leith* to- ether, and exhorted them with large Promiſes of Reward, to fit ut all the Ships in their Harbour, and to go in Purſuit of that ob- inate Pirate. But they were told, that the beſt ten Ships in *cotland* could not in haſte be put in a Condition to engage with ioſe two which Sir *Andrew* commanded. So that excellent Of- cer ſtood out to Sea, where he did what he pleaſed, and the ictorious Party withdrew to *Edinburgh*; to which Place a Parlia- ment was called, which, after the Corps of the old King had been interred, and the new King crowned, as I have related, met on the 6th of *October*.

A Parliament meets and makes many unjuſtifiable Acts.

It was in this Parliament, (if nevertheleſs the auguſt Name of Parliament can be given to an Aſſembly of Rebels,) that the Act, entituled, *The Propoſition of the Debate of the Field of* Striviling, was made; or rather, it was in this Place, that theſe Rebels having got the Power into their Hands, laid hold on ſo favourable an ortunity to indemnify themſelves. Nor was that abominable the only one which they made, for the ſame, or the like oſes. By another (*a*), "All Juſtices, Sheriffs, Stewards, *&c.* ho had heritable Offices, and had fought for their lawful So- reign, were ſuſpended from, or deprived of theſe Offices ring the Space of three Years; and they of the ſame Party, ho had Offices for Life, or Term of Years, were declared inca- ble to enjoy them in any Time coming". By (*b*) another, "The eirs of all Lords and landed Men, who had been, or might be ſinherited by their Parents or Predeceſſors for fighting againſt e late King, were nevertheleſs appointed to ſucceed in, and enjoy their Inheritances, that is to ſay, the debauched un- tural Youth, who, in defiance of the Laws of God, Nature, d Nations, had fought againſt their own loyal Parents, as well the common Father of the Country, were declared honeſt len, and freed from all Apprehenſions of Puniſhment". But be-

(*a*) 80. c. 6. (*b*) Ib. c. 18.

becauſe ſome Act of Grace ſeemed neceſſary (*a*), therefore "all Goods "taken ſince the Field of *Striviling* from Burgeſſes, Merchants, "and unlanded Men, tho of the late King's Party, were ordered to "be reſtored, and their Perſons to be freed from Conſtraint, and "indemnified. Only ſuch *ſpiritual Perſons* or Churchmen, as had "been taken in Armour, were to be delivered over to their Ordi-"naries, and by them puniſhed according to Law". A Proof that ſome Churchmen had thought themſelves obliged, not only to preach and pray, which was certainly their Duty, but alſo to take Arms for the Defence of their Sovereign: How warrantably I do not determine; this is certain however, that if the martial Zeal of Perſons of that Character can be juſtified upon any Account, they had a fair Plea for what they did, and I wiſh no worſe Example had, ſince that Time, been given to theſe Nations by praying, preaching and fighting Clergymen.

I ſhall not inlarge upon the reſt of the Statutes made in this Parliament: The Freedom of the Church was maintained, the Laws againſt *Baratrie* renewed, the Caſtle of *Dumbar* ordered to be demoliſhed, that of *Edinburgh*, together with the Cuſtody or Government of the Duke of *Roſs*, committed to the Care of *Patrick* Lord *Hales*. The King himſelf was adviſed, or, if you will, appointed to ride (*b*) through all Parts of the Realm for the better Adminiſtration of Juſtice, and the Lords of the Juſticiary were ordered to attend him, as he himſelf, or his Council for the Time, ſhould think fit; than which nothing could be more proper towards improving the Health, Education, or Authority of a Minor King. And ſince that Aſſembly took themſelves to be a Parliament, and by Conſequence the King's Guardians during his Minority, they had reaſon to lay down good Rules for his Conduct, elſe they could not have been anſwerable to himſelf, when arrived at his full Age. They alſo (*c*) impowered and ordained certain Noblemen and Gentlemen to exerciſe Juſtice, and to ſuppreſs all Sorts of Diſorders in their own Lands, and in thoſe adjoining to them, till the King's Age of 21 Years. The Perſons they pitched upon were the Lord *Hales* and *Alexander Hume* for the *Mers*, *Lothian*, &c. The Earl of *Angus* for the Shire of *Roxburgh*, *Peeblis* and *Lanerk*, the Lord *Maxwel* for *Dumfries*, the Lord *Kennedy* for *Carrick*, the Laird of *Craigy-Wallace* for *Kyle*, the Lord *Montgomery* for *Cuningham*, the Earl of *Lennox*, the Lord *Lyle* and *Matthew Stewart* for *Renfrew*, the *Monkland*, *Bothwel*, &c. *James* of *Edmondſtoun* for *Stirling* Shire, the Maſter of *Argyle* for *Argyle*, *Lorn*, &c. the Earl of *Athole* and *Alexander Robertſon* of *Strowan* for *Athole*, the Lord *Drummond* for *Strathern*, *Dumblain*, &c. the Lord *Oliphant* for *Strawbrawn*, &c. the Lord *Gray*, the Lord *Glammis* and Maſter of *Crawford* for *Angus*, &c. the Earl *Marſhal* for the *Merns*, the Earl of *Huntley*, the Earl of *Errol* and the Laird of *Innerrugy* for the Month,

(*a*) Ib. f. 79. cap. 4. (*b*) Ib. f. 80. cap. 7. (*c*) Ibi cap. 8.

North and *Inverneſs*, and the Lord *Lindſay* for *Fife*. It is plain from this Record, that they are in a Miſtake, who think that the Lord *Montgomery* was created Earl of *Eglinton* by King *James* IV. when as yet but Prince of *Scotland* or Duke of *Rotheſay*, before the Field of *Stirling*; tho it may be that he was afterwards compelled to reduce the Title of Earl of *Glencairn*, which his Father had given ſometime before the Battle to the Lord *Kilmaurs*: But even that does not ſeem probable, ſince he did not alſo reduce the Title of Duke of *Montroſe*, which his Father had given much about the ſame Time, and for the ſame Reaſons to the Earl of *Crawford*; for we ſhall ſee the Earl of *Crawford* ſitting in, and owned by the next Parliament, as Duke of *Montroſe*. How he afterwards came to loſe that high Title, I own that I am at a Loſs to gueſs. But this ſhews by the by, how much theſe Authors are miſtaken, who have aſſerted the Degradation of one, and the Promotion of the other Nobleman, contrary to no leſs than Parliamentary Evidences. They alſo ſay, that *John Ramſay* of *Balmain* was deprived of the Title of Earl of *Bothwel* by King *James* IV. in this Parliament, and that the Lord *Hales* got it in his Room; whereas it is falſe that *John Ramſay* had ever been made Earl of *Bothwel*, as I have already ſhewed, and ſhall again afterwards. Nor is it true that the Lord *Hales* was preferred to the Title of Earl of *Bothwel*, till ſome Years after. I return to my Subject, and ought not to paſs over in Silence the ſecond Statute of this ſame Parliament (*a*), which was, it ſeems, deſigned to flatter the King, and perhaps to put it out of his Power, to match, as his Father had projected, with a Princeſs of the Blood Royal of *England*. It runs thus, or to this Purpoſe. "Since our ſovereign Lord is now, by the Grace "and Mercy of God, of ſufficient Age to marry with *an nobill* "*Princes, borne and deſcendit of a nobil and wirſhipful Hous of auld* "*Honour and Dignitie*; it is therefore adviſed and concluded, that "an honourable Embaſſy be ſent to the Realms of *France, Bre-* "*tane, Hiſpanzie, and uthers Places as ſall be limmit*, that is to ſay, "a Biſhop, an Earl or Lord of Parliament, a Clerk, a Knight, "and with them the Number of fifty Horſe, to adviſe, treat and "conclude in the ſaid Matter, and that towards defraying their "Charges the Sum of 6000 *Lib.* be raiſed, 2000 of the Clergy, "2000 of the Barons, and 1000 of the Burrows. Theſe Ambaſ- "ſadors were alſo impowered to renew the ancient League be- "tween *Scotland* and *France*, *lykeas it has been betwixt thair maiſt* "*nobil Progenitouris, and now of laite ratifeit, apprevit and confirmit be* "*the Authoritie of our haly Father the Pape*". And in the mean Time an *honourable Eſquire or Herauld* was appointed to go forthwith to *France*, *Spain* and other Places, in Order to make way for the Embaſſy, and to adviſe the King where ſuch a Princeſs was to be found, as would probably be agreeable to, and fit for him.

Scots Authors miſtaken.

This

(*a*) Ib. f. 79.

This laſt Part of the Act was perhaps put in Execution, but the Ambaſſadors did not follow till long after, nor could they; for till the Sentence of Excommunication pronounced by Orders of the Sovereign Pontiff againſt moſt of the Members of this Parliament, upon Account of their Rebellion, was taken off, no Embaſſy from *Scotland* could be received in any Court of the then Chriſtian World. Beſides, the Government was not ſo well ſettled at Home, as to beget Eſteem or Reſpect among Foreigners. *Henry* VII. King of *England*, who had a ſingular Value for King *James* III. was ſo far from inclining to correſpond with his Murderers, that, as ſoon as the domeſtick Troubles of his own Kingdom could allow him, he ſent five tall Ships, with Orders to aſſiſt the late King's Friends. But their Commanders exceeded their Commiſſion: They fell foul upon Friend and Foe (*a*), pillaged the maritime Towns, and ſhut up the Mouth of the River of *Forth*, inſomuch that the Commerce of *Scots* Merchants with Foreigners, and even with one another, was very much interrupted. This was hugely diſpleaſing to the Government, and not very agreeable even to Sir *Andrew Wood*, who having a true *Scots* Heart, could not ſee his Countrymen thus inſulted by their old Enemies. The Parliament, or the King's Council (I know not which) being informed that Sir *Andrew* and the *Engliſh* did not act in concert with one another, ſent a ſafe Conduct to the former, and earneſtly intreated that he would once more come on Shore, and hear what they had to propoſe. The late King had given him a long Leaſe of the Lands and Barony of *Largo*, and they gave him an abſolute Diſpoſition and Hereditary Right to the ſame in the Name of the new King. But that was not the moſt prevailing Argument which they uſed to bring him over to their Intereſt; they made him to underſtand, what was true, that King *James* IV. had now as much Right to his Allegiance as his Father had had, and that to withſtand the preſent Eſtabliſhment, was to perpetuate, not only the inteſtine Commotions and Miſeries of the Country, but alſo to invite a foreign Power into the Bowels of it. Sir *Andrew* yielded to Reaſon, and with his two Ships (for he would make uſe of no more, tho others were ready to aſſiſt him,) he attacked the five *Engliſh* ones off *Dumbar*, and being victorious, brought them into the Harbour of *Leith*. The Defection of ſo brave an Officer, as Sir *Andrew Wood*, from the formerly loyal and ſtill diſſenting Party, and the Victory which he had obtained, were purpoſely magnified, both to flatter the young King by theſe Preſages of his future Glory, and to intimidate the pretended Oppoſers of his Royal Authority. For

Sir *Andrew Wood* complies with the Government.

And defeats the *Engliſh* at Sea.

During the Winter, Leagues were entred into, and Aſſociations made in all Parts of the Kingdom to revenge, as they gave out, the Death of the Father, and to reſcue the Son from the Hands of the

A. D. 1489. A Civil War.

(*a*) Hawthornden, p. 184, 186. Buchan. p. 441, 442, &c.

Regicides. They ſaid, that it was intolerable to ſee a Sett of Rebels aſſume to themſelves the Name of a Parliament, and to ſit Judges over the loyal Part of the Nation, who had hazarded their All for the Honour and Preſervation of their Prince, and were therefore ſentenced, fined and branded with the Name of Traitors, while they, who were really ſuch, inſolently preſumed to aſſert the Legality of Rebellion, Murder and Parricide, continued to detain the King a Captive among them, and would, no doubt, deſtroy him, as they had done his Father, aſſoon as they ſhould find him, what he muſt needs be ere long, ſenſible of their Villany. They concluded, that all honeſt Men ought to join together, which, if they did, they made no doubt, but that Juſtice and Courage would prevail over Iniquity, which was ſupported by nothing but Preſumption and Numbers; and who knew, but that if the Work was once vigorouſly begun, the greateſt Numbers would be found on the juſteſt Side. In Hopes of this, *Alexander* Lord *Forbes*, a Nobleman of great Reſolution and noted Loyalty, drew his Friends together, went to *Aberdeen* and to other Towns by North the *Grampian* Hills, and carrying along with him on the Point of a Lance the bloody Shirt of the ſlaughtered King, invited and animated the gazing Multitudes to revenge his Murder. The Earl *Marſhal* and Maſter of *Huntley* ſhewed themſelves no leſs zealous for the ſame Cauſe, where their Intereſt prevailed; and the united Forces of the North had probably given Laws to the South, had not their Friends in the Weſt met with a Diſaſter that diſconcerted their Meaſures. It fell out as follows.

The Lord *Forbes*, a brave and loyal Man, makes a raſh Attempt.

The Earl of *Lennox* had raiſed about 2000 Men for the Service in hand, at whoſe Head he marched to *Stirling*; but finding the Town and Bridge ſecured by the adverſe Party, he led his little Army up the River, with a Deſign to paſs it at a Ford, where he expected to meet with ſome others of his Confederates. In the mean time he encamped at a Place called *Tillymoſs*, very far from any Appearance or Suſpicion of Danger. But there was a Traitor in the Camp, one *Alexander Mackealp*, who having offered his Service to him, with a Deſign to betray him, went over to the Lord *Drummond*, to whom he gave Notice of his Condition and Circumſtances. The Lord *Drummond* made very good Uſe of the Advice he had received; for he marched inſtantly at the Head of a ſufficient Number of Men, ſurprized the Earl in his Camp, and gave a total Overthrow to that Party; then purſuing his Victory, he, or ſome others of the Government, marched ſtraight to the Caſtle of *Dumbarton*, which the Lord *Lyle* and *Matthew Stewart* endeavoured, but in vain, to defend. Theſe Succeſſes were followed by another of no leſs Importance. Sir *Stephen Bull*, an *Engliſhman* much famed for his Valour and Knowledge in maritime Affairs, had lien long with ſome good Veſſels under the Covert of the *May* in the very mouth of the *Forth*, in order to intercept

The Lord *Drummond* his Succeſſes againſt the Malecontents.

and

and to be even with Sir *Andrew Wood* as he returned from the Low Countries. Accordingly theſe two excellent Officers met, and engaged on the 10th of *Auguſt*: The Fight laſted two Days, during which Time they were carried by the Waves and Winds along the Coaſts of *Fife*, and driven at length amongſt theſe Mountains of Sand that ly towards that Place where the *Tay* loſes its Name in the Sea. The *Engliſh* Ships being much taller and of greater Burden than the *Scottiſh*, ſtuck moored upon the Shelves, in ſo much that they became an eaſy Prey to Sir *Andrew*, who took them and brought them as Prizes to *Dundee*. He afterwards preſented Sir *Stephen* and the reſt of the Officers of that ſmall Fleet to the King, who rewarded him nobly, and not only received them graciouſly, but alſo diſmiſſed them without any Ranſom to the King of *England*. Upon this a Truce enſued between the two Nations, but upon what Terms I find not upon Record, neither do I know how long it was to laſt.

The *Engliſh* defeated a ſecond Time at Sea.

Truce between the two Nations.

The Truce with *England* was preceeded, or followed by an apparent Calm throughout the Kingdom; the Malecontents in the Weſt being defeated, and they in the North diſcouraged, ſo that moſt of them begged Pardon, and ſubmitted to the Government; tho others finding themſelves unable to attack it openly, continued in their Reſolution to undermine it, at leaſt indirectly.

Matters ſtanding thus, another Parliament was called, which met at *Edinburgh* on the 15th Day of *February* 1489, or, according to the new Computation, 1490. One of the firſt Things they did (*a*), was to lay down Methods for removing the Animoſities and Quarrels, by which the Subjects had been ſo long and ſo miſerably divided. Then they appointed (*b*) the Taxation laid on by the laſt Seſſion of Parliament, to be raiſed with all Expedition; and in regard it had been granted for a particular Uſe, *viz.* for defraying the Charges of thoſe Ambaſſadors who were to treat about the King's Marriage, they declared that the King himſelf *mycht not diſcharge* any Part of it. They referred (*c*) the Inſtructions to be given to the Ambaſſadors, to the Chancellor, and other Lords of the King's ſecret Council; but recommended to them that (*d*) they would by all Means take Care to remove *all Strangeneſs and Diſpleaſure conceived by any Prince for any Cauſe bypaſt*. They provided for the Maintenance of the King's Houſhold and Support of his Grandeur (*e*) by recalling all the Alienations which he had made ſince his Acceſſion to the Throne, and by naming Auditors (*f*) to compt and reckon with the Treaſurer and other Officers concerned in the Management of the Crown-Rents. They alſo appointed certain Lords to uplift and bring in *the King's Propertie*, which was in thoſe Days very great, as appears by the Quality and Number of the Perſons who were to manage it, and by

A.D. 1490. A ſecond Parliament.

Makes ſeveral good Acts.

(*a*) Black Acts, f. 84. cap. 20. (*b*) Ib. cap. 21. (*c*) Ib. cap. 22. (*d*) Ib. f. 85. cap. 23. (*e*) Ib. cap. 24. (*f*) Ib. f. 87. cap. 27.

the many Places through which it was ſcattered (*a*), there being no County nor Shire in the Kingdom of which the Sovereign had not a very conſiderable Share, not only as Superior, but as the ſole and only Proprietor. They afterwards proceeded to name ſuch Perſons as they thought fit to be of the ſecret Council (*b*), which, as a Parliament, they might very well do, while the King was in his Minority; and yet to ſhew that they meant not thereby to encroach upon his Prerogative, they expreſſed their Thankfulneſs for that he had *humbled* himſelf ſo far (*c*) as to *promiſe and grant* that he would ſuffer himſelf to be directed by their Counſels. The Council was to conſiſt of the Lord Chancellor, the Maſter of Houſhold, Chamberlain, Privy-Seal, Secretary of State, Clerk of the Regiſter, two Biſhops, an Abbot or a Prior, and ſix Barons, namely the Duke of *Montroſe*, the Lords *Lyle*, *Gray*, *Glammis* and *Drummond*, to whom were added, if preſent, or ſent for, the Earls of *Huntley*, *Lennox*, *Errol* and *Marſhal*, the Lords *Oliphant* and *Borthwick*, *Patrick Hume* of *Faſtcaſtle*, *Walter Ogilvy* of *Boyn*, Mr. *Richard Lawſon* and *John Roſs*. Laſtly, (for I paſs over in Silence ſeveral Acts of this Parliament, which are not of uſe to illuſtrate the Hiſtory of the Time,) a general Pardon or Indemnity was granted to all thoſe who had been aſſiſting to *Robert* Lord *Lyle* and *Matthew Stewart* in the late Defence which they had made of the Caſtle of *Dumbarton*.

This Act of Indemnity, the calling of the Duke of *Montroſe*, the Earls of *Huntley*, *Lennox*, *Errol*, *Marſhal*, &c. to a Share in the Adminiſtration of Affairs, the Care which was taken of the King's Revenues, the Embaſſies deſigned for removing the Diſpleaſure of foreign Princes, and the Methods laid down for bringing all Perſons at Home to Amity and Concord, are ſo many Proofs of the great Pains which the leading Men at Court took to ſecure themſelves by doing good, and obliging, if poſſible, every Body. But their Tranſgreſſions had been ſo great with reſpect to the late King, that, in the Opinion of ſome Perſons, no Atonement could wipe them off; and with what Difficulty they ſteered their Courſe, we may judge by what fell out the ſucceeding Year 1491, when a deſperate Plot was ſet on Foot, to ſeize upon the King's Perſon and that of his Brother the Duke of *Roſs*, with a deſign to deliver them up to their Father's faſt Friend *Henry* King of *England*, rather than to ſee them captivated, as they judged, by Traitors, who had murdered their Father. The principal Men concerned in this Plot (*d*) were *James* Earl of *Buchan* the late King's Uncle, *John* Lord *Bothwel* his Favourite, and Sir *Thomas Tod* of *Spreſhaw*, one of his Servants. The two laſt being at *Greenwich* on the 16th of *April*, undertook for the former, themſelves and many more, whoſe Names, being ſet down in a Paper apart, have not come to my Knowledge, that they ſhould *bring and deliver into the Hands of* Henry

A.D. 1491.

A Plot to ſeize upon the King's Perſon.

(*a*) See the Black Acts, f. 87. (*b*) Ib. cap. 28. (*c*) Ib. f. 87. (*d*) Fœd. Angl. Tom. 12. p. 440, 441.

Henry *King of* England, *the King of* Scots *then reigning, and his Brother the Duke of* Roſs, *or at leaſt the ſaid King of* Scots. On the other Hand King *Henry*, by way of Aid and Aſſiſtance, lent to the ſaid Sir *Thomas Tod*, for his Uſe and that of the ſaid Earl of *Buchan* and others concerned, the Sum of 266 *Lib.* 4 *ſh. Sterl.* to be repaid by the ſaid Lord *Bothwel* and the ſaid Sir *Thomas Tod* at *Michaelmaſs* next to come. This was indeed a moſt unjuſtifiable Deſign, and, if God in his Mercy had not prevented it, might have proved as fatal to *Scotland*, as the Captivity of *David* II. or *James* I. had been. But it was nevertheleſs ſuch, as, I dare ſay, the Undertakers thought lawful before God, and neceſſary to take away the otherwiſe indelible Stain of that monſtrous Rebellion, which had been in ſome Meaſure licenſed, and could not be puniſhed while the King remained in the Hands of the Rebels. Perhaps King *Henry*, a juſt and wiſe Prince, would, if the Project had taken effect, have thought fit to compleat the Alliances agreed on betwixt King *James* III. and himſelf, in which Caſe the Conſpirators would have been ſure not only of Impunity, but alſo of Applauſe and Thanks: But the Experiment was too dangerous upon many Accounts, and therefore, I believe, was never tried, for I nowhere read any thing elſe of the Matter.

A third Parliament.

About a Month after that Project had been concerted in *England*, a Parliament ſat down at *Edinburgh* (*a*), and ſeemed more than ever ſollicitous to forward the Embaſſies formerly mentioned. Which I take notice of the rather, becauſe it is viſible, that tho before this Time Embaſſies had been again and again deſigned for the ſame Purpoſes, yet none had been ſent: And the Reaſon is plain; for if they had gone ſooner, they would not have been received at any Court in Communion with the See of *Rome*, and all Courts and States in *Europe* were then in Communion with that See. But now it was expected, that the Sentence of Excommunication, under which all concerned in the Rebellion againſt the late King had lien ſo long, would be very ſoon taken off; for the Pope had been earneſtly ſollicited to commiſerate the dreadful Condition of their Conſciences, and informed that the young King was inconſolable for the Part he had acted, tho againſt his Will, in that Tragedy. His Holineſs therefore ſent one of his Protonotaries (*b*), *Andrew Forman*, with a conſolatory Bull to his Majeſty, bidding him be of good Heart, and exhorting him to perſevere, not in Sorrow and Vexation, but in Honour, Vertue and Piety. He ſent (I ſuppoſe) at the ſame Time,) another Bull (*c*) of which I have already taken Notice, to the Abbots of *Paiſly* and *Jedburgh*, and to the Chancellor of the See of *Glaſgow*, impowering them to abſolve and readmit into the Body of the Church all ſuch as had been by any Means acceſſory to the Death *of King* James III. *of famous Memory*, provided they expreſſed a ſincere Regret for what they had done,

Embaſſies diſpatched to foreign Parts.

A Nuncio arrives from the Pope.

The Rebels againſt K. *James* III. reconciled to the Church.

(*a*) Black Acts, f. 90. (*b*) Holinſh. p. 409, Hawth. p. 191. (*c*) Which ſee in Bibl. Jur. Edin.

&c. I ſhall make no Obſervations upon that Bull in this Place, enough having been ſaid of it in the End of the laſt Reign. And now the State of *Scotland* being reconciled with the Church, a fair Correſpondence entred into with neighbouring Nations, and the King drawing near to the Age of Man, a long Calm ſucceeded to the bypaſt Troubles, ſo that we read of nothing memorable till
A D. 1492. the next Year 1492, when a Treaty was ſet on Foot for prolonging the Truce with *England*.

The *Engliſh* Plenipotentiaries (*a*) were *Richard* Biſhop of St. *Aſaph*, Sir *John Grayſtock* the Dean of *York*, *&c.* The *Scottiſh* were (*b*) *William* Biſhop of *Aberdeen*, *William* Lord St. *Johns* Lord high Treaſurer, Mr. *Alexander Inglis* Arch-dean of St. *Andrews*, *John Hume* of *Erliſton*, *Patrick Hume* of *Faſtcaſtle*, *Walter Ker* of *Ceſford*
Truce prolonged. and Mr. *Richard Lawſon* Clerk. They met at *Coldſtream*, and on the 21ſt of *December* agreed to a Truce (*c*), which was to continue to the 21ſt of the ſame Month 1496. The Allies comprehended on the Part of King *James*, being *Charles* King of *France*, *John* King of *Denmark*, the Kings of *Spain* and *Naples*, and Dukes of *Auſtria* and *Milan*; and they of King *Henry*, the Emperor, the King of the *Romans*, the Kings of *Spain*, *Portugal* and *Naples*, the Dukes of *Auſtria*, *Burgundy*, *Ferrara* and *Savoy*. The Lordſhip of *Lorn* in *Scotland* and Iſland of *Lundy* in *England*, were, as in former Treaties of the ſame Kind, excluded from the Benefit of this one, which had nothing peculiar in it, ſave that certain Lords Spiritual and Temporal of both Kingdoms were to put their Seals to the Ratification of the reſpective Kings their Maſters; a new Practice, at leaſt ſuch as I have not obſerved till this Time. The *Scots* Lords appointed to do ſo, were the Biſhops of *Aberdeen*, *Dunkeld* and *Galloway*, *Colin* Earl of *Argyle* Lord Chancellor, *Patrick* Earl of *Bothwel* and Lord *Hales*, the Lords *Lyle*, *Oliphant* and *Drummond*. Yet the Treaty was not ſo punctually obſerved, but that ſome Hoſtilities were committed by the *Engliſh*, but much againſt their King's
A. D. 1493. Will; for the next Year 1493 (*d*), he not only appointed his Ambaſſadors to repair the Breaches of the Truce, but alſo to treat of a Marriage between the King of *Scots* and *the moſt Serene Princeſs Katharine* his Couſin, the Daughter of *Eleonora* Counteſs of *Wiltſhire*, who was the Daughter of *Edmund* late Duke of *Sommerſet*
Another Treaty ſet on Foot. his Uncle. King *James* did alſo name Ambaſſadors with Orders to repair the Breaches of the Truce (*e*), but gave them no Inſtructions concerning his Marriage. The Perſons he employed upon this Occaſion (*f*), were *William* Biſhop of *Aberdeen* Keeper of the Privy-Seal, Sir *John Roſs* of *Montgrenan*, Mr. *John Freſel* (*Fraſer*) Dean of the King's Chapel of *Reſtalrig* and Clerk Regiſter, and *Richard Lawſon* Clerk to the Court of Juſticiary. They met with the *Engliſh* Ambaſſadors *Richard* Biſhop of St. *Aſaph*, Sir *William*

(*a*) Fœd. Angl. Tom. 12. p. 468, 469. (*b*) Ib. p. 469. (*c*) Ib. p. 467, 468. &c. It. See the Original in the Regiſt. Edin. (*d*) Fœd. Angl. Tom. 12. p. 529, 530. (*e*) Ib. p. 537, 538. (*f*) Ib. p. 534, 535, &c.

William Tyler, &c. at *Edinburgh*, and on the 25th of *June* prolonged the Truce till the laſt of *April* 1501: And becauſe it was plain that the *Engliſh* had done more Damage both by Sea and Land to the *Scots*, than the *Scots* to the *Engliſh*, it was therefore agreed that King *Henry* ſhould pay the Sum of 1000 Merks *Sterl.* in Gold to King *James*; which he did accordingly (*a*) on the laſt Day of the enſuing Month. But there was no mention made of the Marriage; or, if any Inſinuations were made concerning it, they were not much taken Notice of. For, on the very next Day after the Treaty was concluded (*b*) the Parliament ſat down; and amongſt other Things (*c*) adviſed the King to name ſuch Ambaſſadors as he ſhould think proper to negotiate his Marriage in *France* or elſewhere, and that the Embaſſy might be the more ſplendid, they granted a Subſidy of 1000 *Lib.* over and above the 6000 *Lib.* formerly laid on for that Purpoſe, and another 1000 *Lib. for the honourable home-bringing of a Queen.* They appointed Sir *Stephen Lockhart*, *Thomas Stewart* and ſome others to receive and compt for that Money; and to prevent its being diverted to any other Uſe, they declared, as they had done before, that the King himſelf could not diſcharge any Part of it, or if he did, that his Diſcharge ſhould not be admitted by the Collectors as valid; becauſe, ſays the Act, *it was grantit be the Eſtatis of the Realme for our Soverain Lords Mariage, and to na uthers.* From whence ſome Authors would conclude that the three Eſtates had a ſuperior Power to that of the Sovereign. But in vain; the Sovereign himſelf was willing that ſuch a Conſtraint ſhould be put upon him to prevent the Importunities of rapacious Courtiers, who, abuſing his too much Goodneſs, might, contrary to Juſtice and Reaſon, have prevailed upon him to give away Part of that Fund that was deſtined for a particular End expreſſed in the Grant, and by Conſequence put a Stop to the grand Affair of his Majeſty's Marriage; which was not only his own Concern, but that of the whole Nation. King *David* II. (*d*) had long before this Time put ſuch another Conſtraint upon himſelf and his Succeſſors, when, to prevent the like Importunities, to which all Sovereigns are liable, but more eſpecially they who are of a generous and bountiful Temper, he enacted, that if any thing contrary to Law ſhould be commanded, tho under the Great Seal, Privy Seal or Signet, the Sheriff or Officer, to whom ſuch a Writ might be directed, ſhould not obey it, but that he ſhould return the ſame with a proper Direction upon the Back; than which nothing can be more juſt, or leſs derogatory to the Power of a Sovereign, who may poſſibly be impoſed upon, but is not willing that the Judges under him ſhould be ſo too; and therefore allows, nay commands them to contradict himſelf, if by Inadvertency, or through Miſinformation, he ſhould chance to ſubſcribe a Paper illegally favourable or prejudicial to any Body.

A fourth Parliament.

Antimonarchical Authors confuted.

(*a*) Ib. p. 548. (*b*) Black Acts, f. 94. (*c*) Ib. f. 97. cap. 72. (*d*) Statut. Reg. Dav. II. cap. 8.

I need not enlarge upon this Subject: It is abundantly well understood by all reasonable Persons; nor can any such Restraints, which Sovereigns have been willing to admit of, be thought in the least derogatory to sovereign Power, unless another Power had a Right, not only to reject those their Discharges and Commands, but also to bring them to their Tribunal, and to punish them for having done amiss. But the Acts I have cited import nothing to that Purpose, and therefore are impertinently insisted upon by Antimonarchical Writers, to prove what can never be drawn from them.

In this Parliament, that excellent Law, (*a*) by which all maritime Towns were commanded to build Busses and Ships of at least twenty Tuns of Burden, for fishing up the inexhaustible Wealth of our Golden Seas, was renewed; but to the Disgrace of that and succeeding Ages, it has never as yet been punctually observed. And because the King had now attained to the Age of 21 Years, he therefore not only revoked all Gifts and Alienations of Lands prejudicial to the Crown, which he himself had made (*b*) during his Minority, but also all those made by his Father (*c*) from the 2d of *September* 1487, till the Day of his Death. The Reason given by the Estates for the Act last mentioned, reflects very much upon the Memory of that injured Prince, and shews that the now King was still in the Hands of the Regicides, and forced to comply with any Thing that tended to their Safety. But this is the last Time that we shall find them presuming to vindicate what they had done, or him subservient to their Directions.

A D. 1494. A fifth Parliament.

On the 13th of *June* 1494, another Parliament met, as was usual, at *Edinburgh*, but meddled with no State Affairs, yet made several good Statutes, particularly one that cannot be too much commended. By it (*d*) the eldest Sons and Heirs of all Barons and Freeholders were under a considerable Penalty appointed to be educated from their Infancy at Schools and Colleges, in the Knowledge of the *Belles Lettres*, Latin Tongue and Laws. And in the mean Time *Henry* VII. of *England* heard of the young King's admirable Endowments and promising Conduct with some Terror, but more Pleasure. He had his own Jealousies of the King of *France*, and feared lest *French* Influence should prevail upon the Ambition and Courage of King *James* to assist the Enemies of his Government; but then he was not without Hopes of winning him over to his own Interest. The first Step he seems to have made towards that End, was, this Year in the Month of *May*, when he commissioned Ambassadors to negotiate a Truce (*e*) with a Design that it should last as long as the Life of either of the Kings: King *James* complied with the Proposal, and named the (*f*) Archbishop of *Glasgow* (that See being now erected into an Archbishoprick, as that of St. *Andrews* had been in the last Reign,) the Bishop of *Dunkeld*,

(*a*) I b. f. 98. cap. 81. (*b*) Ib. f. 99, 100. (*c*) Ib. f. 99. cap. 83. (*d*) Ib. f. 101. cap. 87. (*e*) Fœd. Angl. Tom. 12. p. 554, 555. (*f*) Ib. p. 555.

keld, the Earl of *Morton*, the grand Prior of St. *John* of *Jeruſalem* in *Scotland*, the Lords *Lyle* and *Maxwel*, the Arch-dean of St. *Andrews* Secretary of State, *John Ogilvy* Baron of *Fingask*, *Walter Ker* of *Cesford* and *Patrick Hume* of *Faſtcaſtle*, who did go, or ſhould have gone into *England* in the Quality of Plenipotentiaries, as did the enſuing Year 1495(*a*) *Andrew* Biſhop of *Murray*, *John* Lord *Drummond*, Sir *William* de *Knolles*, Sir *William Murray* of *Tillybardin*, Sir *John Lundy* and Mr. *William Lawſon*. King *Henry* on his Side appointed Commiſſioners to meet with theſe laſt, and gave them full Power to conclude, not only a Truce in the Terms above-mentioned, but alſo a Marriage (*b*) between King *James* and his eldeſt Daughter Princeſs *Margaret*. This was the ſecond grand Step which that politick Monarch made towards a laſting Amity and Concord with King *James*; and that he was well adviſed and heartily ſincere in the Matter, appears from this, that he renewed the ſame Commiſſion (*c*) in *September* the next Year 1496. But all to no Purpoſe; for at the ſame Time a ſtrange Meteor appeared in *Scotland*, which, by Influences not to be accounted for at this Diſtiance of Time, put a Stop to the Deſigns in Agitation. I ſpeak of the famous Impoſtor *Perkin Warbeck*, and would enlarge upon his Story which is very entertaining, but that it is abundantly well known, having been written by many better Pens (*d*) than I am Maſter of.

A.D. 1495

Propoſals of a Match betwixt the King and a Daughter of K. *Henry* VII.

A.D. 1496.

Margaret Dutcheſs Dowager of *Burgundy*, and Siſter of *Edward* IV. of *England*, had conceived an invincible Hatred againſt *Henry* VII. becauſe he was of the Houſe of *Lancaſter*, tho married at the ſame Time with her own Niece the eldeſt Daughter of *Edward* IV. and conſequently (the two Sons of this laſt being cut off in the Manner I have related,) the undoubted Heir of the Houſe of *York*. But *Henry* affected to reign in his own Right, and *Margaret* could not endure that he, or any of his Houſe, ſhould reign at all: She therefore ſet up fictitious Pretenders to diſturb him, firſt a *Lambert Symnel*, and then a *Perkin Warbeck*. The Duke of *York*, tho long before dead and buried, was ſo well repreſented by *Perkin*, and the ingenious Romance of his Eſcape from the Tower of *London*, and of his after-Adventures in different Places of the World, was made ſo probable, that the Impoſtor by having contracted a Habit of lying, began to think what he had ſo often and ſo confidently aſſerted to be true, inſomuch that it may be doubted whether he did not at length believe himſelf to be the very Duke of *York*, whom he perſonated. He had appeared as ſuch in *Portugal*, *Ireland*, *France* and *Flanders*; *Scotland* alone, from whence the ſhorteſt and eaſieſt Paſſage to the Miſchief intended, ſeemed to ly open, having been as yet unattempted. The Dutcheſs was not of ſuch a relenting Temper, as to give over purſuing her End, while there was the leaſt Proſpect of bringing it about by any

Perkin Warbeck perſonates the late Duke of *York*.

(*a*) Ib. p. 572. (*b*) Ibid. (*c*) Ib. p. 635. (*d*) See Echard, a p. 598, ad p. 613. Orleans, Liv. 7. a p. 383 ad p. 415. Bacon's Life of Henry VII.

Means whatſoever. She prevailed upon *Charles* VIII. King of *France*, and *Maximilian* King of the *Romans*, who had both taken ſome Diſtaſte at King *Henry*, to write in the Behalf of her pretended Nephew to King *James*; and as all Sovereigns are but too apt to create Diſturbances to their Neighbours, King *James* was perhaps too eaſily induced by the Sollicitations of his Allies to admit the ſuppoſed Heir of the Crown of *England* into his Territories.

Comes to *Scotland.*

Perkin arrived at *Edinburgh* with a rich Equipage and a gallant Train of many Foreigners, and was received, as formerly he had been at the Court of *France*, with all the Reſpect and Complaiſance due to the Quality of a Prince. He ſeemed to deſerve no leſs, his majeſtick Looks and happy Demeanour recommending him to the Eſteem, Compaſſion and Love of all that beheld him. He was not long upon the Place before he had a ſolemn Audience given him by the King, where with a graceful Countenance, he told his Majeſty, that he was the unfortunate *Richard Plantagenet* Son to King *Edward* IV. who being drawn by fraudulent Promiſes from the Boſom of his Mother, was brought to the Tower of *London*, there to be murdered with his Brother King *Edward*; but Pity ariſing in the Breaſt of thoſe who executed that cruel Office, they were contented with the Death of the eldeſt Brother, and ſaved him, giving him Life, Liberty and Means to eſcape. Then he proceeded to recount the various Changes of Fortune that had attended his Fate, and to inſiſt upon the generous Encouragements which he had received from foreign Princes, and the innumerable Acts of Injuſtice and Treachery contrived againſt him by *Henry Tudor*, the preſent Uſurper of the *Engliſh* Throne, whoſe various Methods to aſperſe him, and inceſſant Labours to deſtroy him, were alone ſufficient to convince the World that he was no Counterfeit. He had therefore Recourſe to the Arms of *Scotland*, by which the exiled Kings and lawful Heirs of *England* had been ſo often protected, and ſometimes reſtored; the rather, becauſe his Majeſty, to whom he was now a humble Suitor, was of that Generoſity and Bravery, as not to refuſe the Supplications of an injured Prince, Neighbour and Kinſman, who fled to, and entirely depended upon him.

It is not to be ſuppoſed that the King could give entire Credit to what he heard; for no Age had produced, or Hiſtory mentioned ſuch another Inſtance of a Perſon born upon the Throne, bred up in the frequency and Splendor of a great Court till he was nine Years of Age, then delivered by an uſurping Tyrant into the Hands of Murderers, who actually diſpatched his elder Brother, and durſt not ſave him, yet did it; afterwards preſerved, no Body knew how, nor where, nor by whom, during the Space of about nine or ten Years longer, and then, and not till then appearing again upon the Stage, and declaring himſelf to be what no Eye had ſeen, nor Ear heard, nor Confident knew. A thouſand

more

more Reaſons, no leſs unanſwerable than theſe, could have been brought to prove that he was not what he pretended, and yet it is hard to think that King *James* knew him to be, what he really was, an Impoſtor, the Son of a Jew, and the chimerical Product of a Woman's Malice. Had the King really been aſſured of his being ſuch, he had certainly never rejected the profered Marriage of the eldeſt Daughter of a lawful *Engliſh* King, the perpetual Peace of the two Kingdoms, and the tempting Proſpect of uniting them under his own Sway, or at leaſt that of his Poſterity, for any Advantages he could propoſe to himſelf by ſo impious a Deſign, as that of pulling down a friendly Neighbour, a lawful Monarch, his own Father-in-law, at leaſt willing to become ſuch, and of placing in his Room a mere Phantom, a Stranger, a Scoundrel by Birth, and by his Education a Cheat, without Honour or Conſcience, who, tho he was proſperous, could never fail to remain what he had ever been, perfidious and falſe. Upon the whole Matter, I believe that King *James* was uncertain what to think of it; but he conſidered, that if *Perkin* was an Impoſtor, the beſt way to detect him, was to ſhew him to thoſe who were moſt concerned to reject him, if none of their own; and if otherwiſe, to join him as their lawful Sovereign. The Experiment was eaſy, it would coſt but a War with *England*, and ſuch a War was no Occaſion of Terror to the *Scots* Nation in thoſe Days. Beſides, the Recommendations of his Allies, eſpecially of the King of *France*, were powerful Incentives to the Trial; and if his Gueſt proved to be what he called himſelf, it was probable that Providence, who had ſo wonderfully preſerved him hitherto, would crown her Work with irreſiſtible Succeſs; and in that Caſe how glorious would it be for the King of *Scots* to have reſtored a rightful Heir to the Crown of *England?* But, be this as it will, it is certain, that King *James* not only gave a favourable Anſwer to the ſupplicating Stranger, but alſo appointed him an Attendance and Entertainment anſwerable to his pretended Quality; and that all Men might be induced to believe that he took him for the real Duke of *York*, he gave him in Marriage the Lady *Katharine Gordon* Daughter to the Earl of *Huntley*, a young Virgin, in whoſe Perſon, Beauty, Riches, Quality and Vertue concurred to make her a fit Match for a great Prince.

Is favourably received and married.

All Things being concerted towards the intended Adventure, the King with a conſiderable Army entred *Northumberland*, where *Perkin*, under the Name of *Richard* Duke of *York*, publiſhed and diſperſed a formal Declaration, importing, that by the Grace of God and Favour of the King of *Scots*, he had now entred the Kingdom of *England*, not with a Deſign to make War with his Subjects, but to free them from the Tyranny with which they were oppreſſed. And that none might be apprehenſive of the Rigour of the Law, for having illegally obeyed the Uſurper, he granted a general Pardon for all their Tranſgreſſions, upon Condition that they would ſub-

Invades *England*.

mit themſelves to him, and aſſiſt him in the Recovery of his Right and their Priviledges; the moſt forward of whom ſhould receive the greateſt Marks of his Regal Favour. He added a Promiſe of a Thouſand Pounds in ready Money, and a hundred Merks a Year of Inheritance, to whoſoever ſhould take or kill *Henry Tudor*. But, notwithſtanding the artful *Manifeſto* of *Perkin*, and the peaceable Behaviour, as well as encouraging Appearance of a Royal Army, from both which great Commotions, if not an univerſal Inſurrection, were expected and promiſed, no *Engliſhman*, or but very few joined in the Service. Upon this Diſappointment, the *Scots*, who had hitherto acted as Friends, forbearing to moleſt any Body, or to take even what was neceſſary for their Subſiſtence without paying for it, manifeſted themſelves Enemies, and after plundering the Country, or laying it under Contribution, returned with a great Booty. When the counterfeit Duke ſaw the Country thus pillaged and waſted, he cunningly put on the Air of a compaſſionate natural Sovereign, and coming to the King, with great Earneſtneſs requeſted that he would ſpare his afflicted People, for that no Crown was ſo valuable in his Eyes as the Blood and Treaſure of his Subjects: To which, it is reported that, the King with ſome Indignation replied, that he was too careful of a People, who, he doubted, were none of his own, and who, if they were, declared themſelves ſo openly in the Intereſt of another.

But to no Purpoſe.

I know not how ſoon King *Henry* had certain Intelligence of this Expedition, but, it ſeems, he was not ſufficiently aware of it, till it was finiſhed; for on the 2d of *September* 1496 (*a*) he had renewed his former Commiſſion in Order to the deſigned Match between his Daughter and King *James*; at which Time we muſt ſuppoſe, either that he expected no War from *Scotland*, or that he hoped to divert it by an amicable Treaty towards a well-grounded Peace. But the counter-Deſigns of King *James* were kept ſo cloſe, and the *Scots* were in thoſe Days ſo well diſciplined, and conſequently ſo well prepared for Military Service, that within the Space of about four Months, they drew a formidable Army into the Fields, invaded *England*, over-run the Northern Counties, and returned probably in Time to paſs the Chriſtmaſs Holy-days at Home. This appears to be true from a Writ of King *Henry* (*b*), dated at *Weſtminſter* the 13th of *February* 1496-7, by which he appointed "Sir *Thomas Dacre* his Lieutenant in the North, "requiring him to repel the *Scots*, becauſe, *adds he*, it is long "ſince [*jamdudum*] our Enemy and Adverſary the King of *Scot-*"*land*, has invaded our Kingdom with a great Army of Rebels "and Traitors, and without Commiſeration of Age or Sex, has "killed, plundered, burnt Villages, ſeized upon Fortreſſes, *&c.*" Much about the ſame Time he called a Parliament, where, after he had aggravated, in much the ſame Terms, the unjuſt and diſ-

Great Havock made in *England* by the *Scots* Army.

A. D. 1497.

honourable

(*a*) Fœd. Angl. Tom. 12. p. 635, 636. (*b*) Ib. p. 647.

honourable Treatment given him by the King of *Scots*, he asked and obtained a Subſidy of 120000 *Lib.* beſides two Fifteens to be employed in that neceſſary, becauſe defenſive War. Such a Subſidy was in thoſe Days a great Matter, and the Inhabitants of *Cornwall* being unable or unwilling to pay their Share of it, run unadviſedly to Arms, marched through *Kent*, and threatned even *London* it ſelf with Deſtruction and Ruin. But that Rabble was ſoon defeated, and King *Henry* thereby enabled to ſend a conſiderable Army to the Aſſiſtance of the Earl of *Surrey* his General in the North, who till then, not daring to oppoſe a ſecond Invaſion of the *Scots*, had kept himſelf in *Yorkſhire*, while King *James*, after having waſted the adjacent Country, beſieged the Caſtle of *Norham*: But before he could take it, the Earl approached with a ſuperior Force. Upon this, the *Scots* retreated, and the *Engliſh* took the Caſtle of *Aytoun*: After which very inconſiderable Conqueſt, they alſo returned, without being able to penetrate farther into the Country, much leſs to retaliate their Loſſes.

A ſecond Invaſion.

While this War was hotteſt, *Pedro d'Ayala*, Apoſtolick Protonotary and Embaſſador (as he (*a*) ſtiled himſelf) of the moſt Serene King and Queen of *Spain*, *Ferdinand* and *Iſabel*, arrived at the Court of *England*. The outward Pretence of his Embaſſie was to accommodate the Differences between the two Crowns of *Britain*; tho it is probable that, being alſo to negotiate a Marriage between *Katharine* the Daughter of his Maſter and Miſtriſs and *Arthur* the Prince of *Wales*, he had in Charge to enquire into the Pretenſions of all ſuch as did, or might offer to debar this laſt from the Succeſſion. In Order to ſuch an Enquiry, nothing could be more uſeful or plauſible than the profered Mediation; and King *Henry*, who had ever ſhewed himſelf deſirous, not only of Peace, but alſo of a ſtrict Alliance and near Affinity with his Contemporaries the Kings of *Scotland*, very readily complied with the pleaſing Propoſals, ſo that, agreeing with whatſoever *d'Ayala* ſhould propoſe, he diſmiſſed him with the Credentials and Letters which he brought to King *James* from King *Ferdinand*. Aſſoon as the *Spaniſh* Miniſter had propoſed the Affair at the *Scottiſh* Court, and perſwaded the King to hearken to Terms of Accommodation, he wrote to King *Henry* to ſend ſome diſcreet Perſons, who, together with him and King *James*'s Commiſſioners, might put an end to the Buſineſs. King *Henry* appointed *Richard Fox* the Biſhop of *Durham*, *William Warham* Doctor of Laws and *John Carrington* Eſquire, to go on that Errand. They met, not at *Jedburgh*, as Authors generally ſay, but at *Aytoun* (*b*), the Place lately taken by the Earl of *Surrey*, with the *Scots* Commiſſioners, who were *William* Biſhop of *Aberdeen* Keeper of the Privy-Seal, *Andrew Forman* Protonotary Apoſtolick, Sir *Patrick Hume* of *Faſtcaſtle*, and Mr. *Richard Lawſon* Clerk to the Court of Juſticiary, and on the

A *Spaniſh* Ambaſſador comes to *Scotland*.

Mediates a Peace.

(*a*) Fœd. Angl. Tom. 12. p. 673. (*b*) Fœd. Angl. loc. cit.

laſt of *September*, in Preſence of the *Spaniſh* Ambaſſador, agreed
A Truce with *England* a ſeven Years Truce between the two Kingdoms, the Lordſhip
Lorn and Iſland of *Lundey* excepted. Both Potentates comp
ended their reſpective Allies in it; the Conſervators of it on t
'art of *Scotland* being the Biſhops of *Aberdeen* and *Gallowa*
m Lord *Borthwick*, *George* Lord *Seton*, Sir *Patrick Hume* of *Faſtcaſ*
nd Mr. *William Lawſon*. It was further agreed by a ſeparate A
cle between *Pedro d'Ayala* and *William Warham*, that the abo
'ruce ſhould be prolonged during the Lifetime of the two King
nd a full Year after the Death of the longeſt Liver: Notwithſtan
ıg which, there were ſome Points very warmly inſiſted upo
articularly the Breach of the late Truce; upon whi
hey came to no Concluſion, ſave that theſe Matters ſhou
e referred to the King and Queen of *Spain*, in whoſe Deci
n, both King *James* and King *Henry* (*a*) afterwards oblig
hemſelves to acquieſce. And this ſhews by the by, that Ki
ames had probably more juſtifiable Reaſons for eſpouſing the
Quarrel of *Perkin Warbeck*, than we can divine at this Diſtance of
Time; elſe he would never have ſubmitted his Cauſe to the De-
ermination of a Prince, upon many Accounts more likely to be
artial in Favour of the King of *England* than himſelf. But it may
e that this was only a Contrivance to put off the Matter to ano-
her Time, or rather to leave it for ever undetermined: For the
Cauſe of the War was never after inſiſted upon, ſo far as I can ſee,
nor the Breach of the Truce charged upon either Party, and con-
ſequently no Reparation was ſought from the *Scots*, for the great
Booties which they had carried from, and Havock which they
had made in *England*, inſomuch that they were ſufficiently com-
penſated for the Trouble they had been at, and the Charges which
they beſtowed upon the War. On the other hand, King *Henry* was
of Opinion, that he had gained a great deal by procuring *Per-
kin* to be removed from *Scotland*, the only dangerous Reſidence he
could get in the World. He was very earneſt to have that Impoſtor
delivered up to him; but King *James* would by no Means comply
with that Demand. For tho by this Time he was fully perſwaded,
that his Gueſt was no better than a State-Juggler; yet, having cal-
led him the Duke of *York*, made War in his Name, and married
him to a Kinſwoman of his own, to deliver him up, would, he
thought, injure his Faith and diminiſh his Reputation. He did
what was reaſonable; that is, he called *Perkin* to him, and told him,
that, according to his Promiſe, he had done what lay in his Power
to ſerve him: Then, after as civil a Manner as the Subject would
bear, he let him to know that the preſent State of Affairs required
him to withdraw from the Kingdom. *Perkin* caſting all his bad
Succeſs upon the averſeneſs of Fortune, aſſured the King that
he would never be unmindful of his Favours, and ſo embarked
himſelf

(*a*) Ib. p. 671, 673, &c.

himſelf, together with his Wife, and ſuch others, whoſe deſperate Condition had compelled them to follow him, in three Ships which the King furniſhed him, and ſailed into *Ireland*. I am not to follow him through the reſt of his more unfortunate Adventures: It ſuffices to tell in this place that he was ſoon after taken by the Forces of King *Henry*, and put to a ſhameful Death at *Tyburn*, after having confeſſed himſelf to be, what he no doubt was, the moſt confident and daring Impoſtor, (religious ones, ſuch as *Mahomet* and the like Hereſiarchs, excepted,) that had ever appeared in the World. He died unpitied: But the Lady *Katharine Gordon* his admirable Wife, who had followed him in all his Fortunes, and loved him intirely, (and it was no wonder, for he had every thing that was Princely about him, ſave that he was not really a Prince, as ſhe perhaps fondly believed,) drew Compaſſion and Reſpect from all that beheld her. King *Henry* hearing that ſhe had been left by her Husband at St. *Michael*'s Mount, ſent for her with great Diligence, as fearing ſhe might be with Child, by which the Buſineſs would not have ended in *Perkin*'s Perſon. Being brought before the King, he received her not only with Civility, but Affection; and after having comforted her all he could, he ſent her to his Queen, and aſſigned her an honourable Penſion, which ſhe enjoyed during his Life and many Years after; the Name of the *White-Roſe*, which had been given to her Husband's falſe Title, being ever after continued in common Speech to her real Beauty.

Perkin leaves *Scotland*.

His Death.

A. D. 1498.

1499.

The better Fate of his Lady.

The continual Commotions of the diſaffected Party in *England*, and King *Henry*'s great Wiſdom, by which he was induced rather to ſecure himſelf and his Off-ſpring in Peace and Plenty upon the Throne, than, as ſome of his moſt warlike, but leſs politick Predeceſſors had done, to endanger what was juſtly his own, by chimerical Claims to other States, made him heartily ſollicitous to put a final end to thoſe endleſs Wars, in which the Nation had been ſo long, and to ſo little purpoſe engaged. With this view, (*a*) in the Year 1492, he had made a Truce with *Charles* VIII. King of *France*, which was to laſt during both their Lives; and the King of *Scotland* was, if he had had a mind, comprehended in it. With the ſame View he had expreſſed a Willingneſs to reſtore the Town of *Berwick* to King *James* III. of *Scotland*, provided a ſtrict Alliance and laſting Peace could be concluded between the two Nations; and ſince the Death of that Prince he had offered two different Matches to his Son King *James* IV. firſt, his neareſt Kinſwoman, and afterwards his eldeſt Daughter. It was in fine with the ſame View, that at the laſt Treaty of *Aytoun*, a Truce, as long as his own or King *James*'s Life, had been propoſed, and in ſome meaſure agreed to: But becauſe that ſeparate Article had not, it ſeems, been expreſly ratified, he afterwards, *viz.* in this Year 1499, ſent *Robert Rydon* Vice-admiral of his Kingdom to

(*a*) Fœd. Angl. Tom. 12. p. 500, 501.

Stirling, where King *James* kept his Court at the time, with ample Inſtructions and full Power to perfect that Agreement. Accordingly on the 12 of *July* the *Engliſh* Ambaſſador and the *Scots* Commiſſioners, *Andrew Forman* and Mr. *Richard Lawſon*, in the Name of their reſpective Maſters, prolonged the Truce from that Day till the Death of that Prince who ſhould chance to out-live the other, and a Year longer, with ſuch Clauſes and Reſtrictions as are to be ſeen in the original Treaty, which is ſtill extant (*a*). King *Henry* ratified it at *Winton* the 8th of *September*, as King *James* had done at *Stirling* (*b*) the 20th of *July*. What retarded ſo long the Ratification of the former, was a very triffling and untoward Accident, which had almoſt defeated all the Purpoſes intended by either of the Monarchs.

A Truce during Life agreed to by the Kings of *Scotland* and *England*.

The Neighbourhood of the Caſtle of *Norham* to the *Scots* Territorries, having occaſioned (*c*) Converſation and Friendſhip between ſome young Men of *Scotland* and *England*, the former uſed often to paſs the River, and go to drink and divert themſelves with the latter. The Soldiers of the Garriſon growing jealous of this Cuſtom, did not think that the frequent Viſits of the *Scots* proceeded from Friendſhip, but rather from a deſire to know the Strength of the Fortifications: Whereupon falling firſt to Words and then to Blows, the *Scots*-Men, by the diſadvantage of the Place, and inequality of Numbers, were hardly treated, and ſome of them ſlain. King *James* reſented this as a ſignal Affront put upon him, eſpecially at ſuch a time; inſomuch, that repenting what he had ſo lately done, he ſaid in a Paſſion, *That nothing in Nature was ſo certain, as that there would never be Peace between the* Scots *and the* Engliſh. With theſe Words he diſpatched away an Expreſs Herauld to complain of the Injury done him, and, in caſe King *Henry* would not give Satisfaction, to denounce War. King *Henry* regarding nothing ſo much as Peace, anſwered, *That he was ſorry for what had happened, which was wholly unknown to him; that he would enquire after the Aggreſſors, and give ſuch Puniſhment, as there ſhould be no occaſion to alter the Meaſures concerted.* The Biſhop of *Durham*, to whom the Caſtle belonged, did likewiſe all he could to prevent the threatned Rupture; for knowing, and being aſhamed that the Injury was done by his Men, he wrote in ſo ſubmiſſive a manner to King *James* about it, as he reſted ſatisfied, and deſired the Biſhop to come to him that they might treat upon the preſent occaſion, and upon certain other Affairs that concerned both the Kingdoms. The Biſhop acquainted King *Henry* with this, and obtained leave to go into *Scotland*, where meeting with King *James* at *Melroſs*, he returned ſuch ſoft and modeſt Anſwers to him, as ſoon brought him to a Reconciliation. After this, the King converſed with him more privately, and told him, that his Deſire was

A triffling Accident has great Conſequences.

(*a*) In the Regiſt. or low Parliament Houſe, Edin. (*b*) Fœd. Angl. Tom. 12. p. 722. (*c*) Ech. p. 611. Leſl. p. 323.

was to have a firm and ſtrict Amity with his Maſter, and that the only way to effect it, was by King *Henry*'s giving him for Wife his eldeſt Daughter *Margaret*, by which the Friendſhip between the two Nations would be perpetual; that this was the Reaſon why he deſired him to come into *Scotland*, hoping that by his Wiſdom he might bring the Affair to a happy Period. The Biſhop modeſtly anſwered, That he thought himſelf rather happy than worthy to be an Inſtrument in ſuch a Matter. Therefore returning to *England*, he acquainted King *Henry* with the whole Deſign, which proved very acceptable to him. So ſay all *Scots* as well as *Engliſh* Authors; and yet it is evident from the Records which I have quoted, that long before this time, the Project of that Match was laid by the profound Policy and deep Foreſight of King *Henry*. But it is reported, that ſome of his Council, leſs provident than himſelf, argued againſt it, out of an Apprehenſion, that in caſe his two Sons ſhould die without Iſſue, the Kingdom of *England* would devolve to the King of *Scotland*, which might prejudice the *Engliſh* Monarchy. To which unreaſonable Scruple he made Anſwer, That if ſuch a Caſe ſhould happen, *Scotland* would be but an Acceſſion to *England*, and not *England* to *Scotland*, becauſe the greater would certainly draw the leſſer. Accordingly the Caſe hath happened, a *Scottiſh* King ſprung from this very Match did aſcend the Throne of *England*, and ſince that time what a prodigious increaſe of Induſtry, Trade, Wealth, Knowledge, numbers of Men, Fame, Reputation and Power has accrued to *England*? On the contrary, to what a low Paſs *Scotland* has been brought for want of the enlivening Preſence of her Sovereigns, the warm Influences of her once magnificent Court, the unſpeakable Benefits of her foreign Alliances, eſpecially that of *France*, the Induſtry, Skill and Courage of her beſt and braveſt Men; and to be ſhort, of every National Advantage, we all ſee and feel, but hope that after-Bleſſings will make amends for our bypaſt and preſent Calamities. The rightful Sovereigns of both Kingdoms, whether they be conſidered as ſeparate or united into one, muſt needs at length diſcover that their own Intereſt in particular, and that of all their Subjects in general, even the weakeſt and meaneſt among them, are the ſame; and a wiſe Miniſtry will eaſily find out means to make *Scotland* content without diſobliging *England*. Till then, I cannot ſay, as other Authors have done before me, that the Marriage of *James* King of *Scotland* and *Margaret* the eldeſt Daughter of *England*, was fortunate. However, the Biſhop of *Durham* (*a*) was on the eleventh of *September* commiſſioned to negotiate the Affair, and that wiſe Prelate brought it ſo great a length, that the next Year 1500, (*b*) King *Henry* A. D. 1500. thought fit to obtain a Diſpenſation from *Rome* in behalf of his Daughter, who, tho ſhe was but ten Years and ſix Months old,

(*a*) Fœd. Angl. Tom. 12. p. 729. (*b*) p. 765.

Marriage between K. *James* and *Margaret* of *England* agreed to.

and within the fourth Degree in Blood and Affinity to King *James*, had nevertheleſs a Permiſſion to marry him. But that Permiſſion did not take effect ſo ſoon as the Sovereign Pontiff and King of *England* deſigned, it being neceſſary to adjuſt many Matters of the higheſt Importance before ſo great a Tranſaction could be finally concluded. Neither had the Biſhop of *Durham*, as is vulgarly believed, the Honour to be preſent at the Concluſion of it. The Perſons employed for that end by King *Henry*, were, (*a*) *Henry* Archbiſhop of *Canterbury*, *Richard* Biſhop of *Wincheſter*, and *Thomas* Earl of *Surrey*. On the other hand, they employed by King *James* were, *Robert* Archbiſhop of *Glaſgow*, *Patrick* Earl of *Bothwel* great Admiral of *Scotland* and Warden of the Weſt Marches, and *Andrew* Poſtulate Biſhop of *Murray*. They received their Plenipotentiary Powers from King *James* (*b*) at *Stirling* on the 8th of *October* 1501, and, on the 4th of *January* 1501-2, came to this Agreement in the Royal Palace of *Richmond*.

A.D. 1501, 1502.

Upon what Terms.

" 1*mo*, That *James* King of *Scotland* ſhall at *Candlemaſs* next in " Perſon, or by his Proxy, marry the Princeſs *Margaret*, (who " on the laſt Day of *November* bypaſt had attained to the full Age " of twelve Years,) and that no Exceptions ſhall be made a- " gainſt their Conſanguinity or Affinity, both having been before " hand diſpenſed with by the ſovereign Pontiff.

" 2*do*, That the ſaid Princeſs ſhall be convoyed at the Charges " of the King her Father, and delivered to her ſaid Husband, or " to any impowered by him to receive her, at *Lamberton* Kirk, " about the beginning of *September* 1503, and not till then.

" 3*tio*, That before the firſt Day of *July* 1503, the ſaid Princeſs " ſhall be legally *Infeft and Seized* in all the Lands, Caſtles, *&c.* " which the Queens, Dowagers of *Scotland*, uſually enjoy; and if all " theſe Lands be not found to yield the yearly Revenue of 2000 " *Lib. Engliſh*, or (which was then the ſame,) 6000 *Lib. Scots* " Money, that her ſaid Husband ſhall aſſign her as many other " Lands as will make up the Deficiency.

" 4*to*, That the ſaid Princeſs ſhall be allowed to have always " by her at leaſt 24 Servants of the *Engliſh* Nation, Men or Wo- " men, as ſhe ſhall incline, over and above her *Scottiſh* Domeſticks, " and that all theſe ſhall be entertained at the Charges of the King " her Husband, who ſhall give her every Year the Sum of 1000 " *Lib. Scots*, or 500 Merks *Sterl.* by equal Proportions, at the " Feaſts of *Eaſter* and *Michaelmaſs*, to be diſpoſed of at her Plea- " ſure.

" 5*to*, That, in Caſe of the Death of the ſaid King her Hus- " band, ſhe ſhall be allowed to reſide within, or without the " Kingdom of *Scotland*, as ſhe ſhall think fit; and that altho ſhe " ſhould chuſe to reſide without the Kingdom, yet her whole " Jointure

(*a*) Ib. p. 787, 789, &c. (*b*) Ib. p. 776.

" jointure, amounting to the foreſaid Sum of 2000 *Lib. Sterl.* or " 6000 *Lib. Scots*, ſhall be faithfully paid.

" 6*to*, That the King her Father ſhall pay for her Portion, to " the ſaid King *James* her Husband, 30000 Pieces of Gold, called " *Angel Nobles*, or the Equivalent in the current Coin of *Eng-* " *land*, whereof 10000 to be paid at *Edinburgh*, eight Days after " the Conſummation of the Marriage, other 10000 on the ſame " Day of the enſuing Year 1504 at *Coldingham*; and the laſt " 10000 towards the End of the next Year 1505.

" 7*mo*, That, in Caſe the ſaid Princeſs ſhall chance to die without " Iſſue before the complete Payment of her Portion, the Re- " mainder unpaid ſhall be no more due; but if ſhe ſhall chance " to leave Iſſue behind her, then the whole ſhall be faithfully paid, " as if ſhe was alive.

League with *England* and perpetual Peace agreed to, And the Articles of both.

The Match being thus agreed to, the ſame Commiſſioners proceeded to adjuſt the Terms of a perpetual Peace between the two Kingdoms, and on the 24th of the ſame Month of *January* did conclude and determine.

" 1*mo*, That (*a*) in all Times to come, there ſhall be a ſincere, " complete and inviolable Peace, Friendſhip and League between " the moſt illuſtrious and excellent Princes *James* King of *Scot-* " *land* and *Henry* King of *England*, their Heirs and *lawful Here-* " *ditary Succeſſors*, their Kingdoms and Subjects, whether Eccle- " ſiaſtick or Laick, *&c.*

" 2*do*, That neither of the ſaid Kings ſhall favour the rebel- " lious Subjects of the other, directly or indirectly, but ſhall on " the contrary commit them to Priſon, aſſoon as they are known " to be ſuch.

" 3*tio*, That all ſafe Conducts granted, or Promiſes made to " any of the *Engliſh* Rebels, by King *James*, ſhall be recalled and " never renewed, and *vice verſa*.

" 4*to*, If either of the ſaid Kings ſhall be attacked by any o- " ther Emperor, King, Prince, *&c.* that the King, who is not " attacked, ſhall aſſiſt him who is, as ſoon, and with as " many Forces as ſhall be required, provided that theſe Forces be " maintained at the Charges of that King, to whoſe Aſſiſtance " they ſhall be ſent.

" 5*to*, That the King of *Scotland* ſhall not moleſt nor beſiege " the Town or Caſtle of *Berwick*, nor ſhall the Inhabitants there- " of give any Diſturbance to the Subjects of the ſaid King of *Scot-* " *land*.

" 6*to*, That the Fiſh garth of *Esk* ſhall be equally free to the " Subjects of both Kingdoms, ſo that either the *Scots* or *Eng-* " *liſh* may break or repair it, without being quarrelled by either " of the Kings.

" 7*mo*, That the Allies of both Kings ſhall be comprehended in

(*a*) See the Original Treaty in the Low Parliament Houſe, Edin. It. Fœd. Angl. Tom. 12. p. 793, 794, &c.

" the Treaty, namely, the King of the *Romans*, *Lewis* King of the " *French*, the Kings of *Spain*, *Portugal* and *Denmark*, the Arch-duke " of *Auſtria*, the Dukes of *Venice*, *Ferrara* and *Savoy*, and the Hanſe- " towns of *Germany* on the Part of King *Henry*; and on that of " King *James*, *Lewis* King of *France*, *John* King of *Denmark*, the " King of *Spain*, the King of the *Romans*, the Arch-duke of *Au-* " *ſtria*, the Dukes of *Gueldre*, *Alſace* and *Cleves*, and Marquis of " *Brandenburgh*. That all theſe ſhall be informed of the Treaty, and " invited to come into it within eight Months; and, if they do " not accept of the Offer, they are in that Caſe to be conſidered " as unconcerned: As alſo, that if the King of *England* ſhall chance " to make War with any of the ſaid Allies of the King of *Scot-* " *land*, the ſaid King of *Scotland* may aſſiſt his ſaid Ally with Auxi- " liary Forces to be ſent to his Aſſiſtance and Defence; but ſhall " not offer to make a Diverſion on his Behalf, by attempting any " Thing againſt. *England* it ſelf, *& vice verſa*; ſo that the Peace " between the two Kingdoms ſhall remain inviolable as before.

" 8*vo*, In Caſe, which God forbid, that the ſaid King *James* or " Princeſs *Margaret* ſhould die before the Conſummation of their " Marriage, the Peace ſhall nevertheleſs continue, unleſs either " of the Kings their Heirs or Succeſſors do make known to the " other, within two Months after the Deceaſe of the ſaid King " or Princeſs, that he will not adhere to the Treaty: And

" 9*no*, In that Caſe, that is to ſay, altho the Peace ſhould not take " Effect by Reaſon of the Death of either of the Parties, or non- " Delivery of the Princeſs at the Time appointed, yet the Truce " formerly concluded ſhall continue during the Life of both the " ſaid Kings, and one Year longer.

" 10*mo*, That both Kings ſhall obtain a Ratification of the pre- " ſent Treaty from the Pope before the firſt Day of *July* 1503, " and that the Party-breaker ſhall ſubmit himſelf to the Sentence " of Excommunication, and be actually excommunicated.

Some Laws and Regulations were made at the ſame time for the better preſerving of the Treaty, and for keeping the Borders in Quiet (*a*); but they are too numerous to be related in this Place. And thus a final Peace was concluded between the two Nations, after they had been in an uninterrupted State of Enmity with reſpect to one another, during the Space of 170 Years, I reckon from the Year 1332, when the Peace, concluded between King *Robert* I. of *Scotland* and *Edward* III. of *England*, tho ratified in a Parliament at *Nottingham*, *Anno* 1328, was broken by this laſt, who renewing the unjuſt Claim of his Father and Grandfather to Superiority over the Crown of *Scotland*, endeavoured to ſet up the Lord *Edward Baliol*, a Titular and Vaſſal King, in the Room of his own Brother-in-law King *David Bruce*: But now we ſee, that there is no mention made of that antiquated Claim. A plain Proof, that

(*a*) See the Regiſt. and Fœd. Angl. Tom. 12. p. 800, 801, &c.

that the *Solomon* of *England*, King *Henry* VII. conſidered it as chimerical, and found that his Predeceſſors had gone the wrong way to Work, who might have reduced the *Scots* Nation by Friendſhip, Alliances, inter-Marriages, and the like Allurements or Endearments of Peace; but could never hope to effect their Deſigns upon ſo Martial a People by perpetuating the War; a War, which, reckoning, as we may very juſtly do, from the Year 1296, when it firſt broke out between *Edward* I. of *England*, and King *John Baliol*, had laſted 206 Years, to the unſpeakable Damage, not only of this Iſland, but alſo of all Chriſtendom, whoſe different Potentates were variouſly influenced by the Contentions of the *Britiſh* Crowns, and ſome of them quite ruined by the prevailing Power of the *Mahumetans*; which would not have happened, if, as in former Times, the united Forces of *England* and *Scotland* had joined with thoſe of the Continent againſt the common Enemy of the Chriſtian World.

I need make no other Obſervations upon this Treaty, which was in all Reſpects equal and fair, ſave that by it the Town and Caſtle of *Berwick* were plainly, and the Iſland of *Man* tacitely yielded to the Crown of *England*; two very inconſiderable Acquiſitions in reſpect of the immenſe Treaſure and Deluge of Blood ſo fruitleſly miſpent in making them. But King *Henry* had a much greater Advantage in View: He hoped to win over *his right dear and entirely beloved Son* (for ſo did he now call King *James* in all the Letters which he had Occaſion to write to him,) from his Affection to the *French* Intereſt, and to wear out by Degrees the old League with that Nation, as being unneceſſary, now all future Grounds of quarrelling with *England* were taken away, and a ſtrict Friendſhip and Alliance ſo happily perfected. This Deſign was viſible (*a*) from a Letter written by King *Henry* at his Mannor of *Richmond* the 27th of *June*, and delivered to King *James* by Sir *John Hume* of *Duns*; by which the latter was earneſtly entreated to delay for ſome Time the Confirmation of the *auld Lyig and Baund* between the Kings of *France* and his Predeceſſors. To which he made Anſwer, "That he ſaw no Reaſon, why his "*deareſt Father* ſhould deſire any ſuch Thing, but that to oblige "him, he would put off confirming the League, till he ſhould ſee "him, or be better adviſed. Notwithſtanding, *added he*, that the "ſaid League between the Kings of *France* and *Scotland* ought to "be confirmed and renewed, as often as either of them dies". From this it appears, that the League had not as yet been renewed in this Reign: But King *James* was ſo far from neglecting his ancient Ally, that he ſcrupled to put his Name or Seal to a Paper in which his Father-in-law was ſtiled King of *England* and *France*, and would needs have the Word *France* to be ſcored out of it. I have taken Notice of this the rather, (*b*) becauſe it fell out upon

League with *France* inviolable.

(*a*) Fœd. Angl. Tom. 13. p. 12. (*b*) Ib. p. 43, 45, 46, &c.

upon a very ſolemn Occaſion, *viz.* on the 10th of *December*, when being in the Cathedral Church of *Glaſgow*, he bound himſelf by Oath, as was uſual, to obſerve the late Treaty concluded with *England*, in Preſence of the *Engliſh* Ambaſſadors, Sir *Thomas Darcy* Mr. *Henry Babyngton*, and a great many of the Nobility and Gentry of both Nations, amongſt whom were *Andrew* Biſhop of *Murray*, *Robert* Abbot of *Paiſly*, *James* Lord *Hamilton*, *Alexander* Lord *Hume*, *&c.* King *Henry* ratified the Treaty (*a*), and took an Oath to the ſame Purpoſe at *Weſtminſter* the 31ſt of *October*, in Preſence of the *Scots* Ambaſſadors and a great Number of the *Engliſh* Nobility.

A D. 1503. The Queen's Jointure ſettled.

In *May* the next Year 1503, purſuant to an Article of the Agreement, King *James* ſettled his Queen in a Jointure of 2000 *Lib. Sterl.* or 6000 *Lib. Scots* yearly Revenue; the Lands aſſigned to her for that Effect (*b*) being the Foreſt of *Ettrick* and Mannor of *Newark* within the ſaid Foreſt, the County of *March* and Lordſhips of *Dumbar* and *Coudbranſpeth*, the Lordſhip and Palace of *Linlithgow*, the Lordſhip and Caſtle of *Stirling*, the Earldom of *Monteith*, the Lordſhip and Caſtle of *Down*, and the Palace and Lordſhip of *Methven*. And now the Time approached, when the Royal Bride was to be convoyed to her Husband; nothing was ſeen in *England* but Preparations for her Journey, nor in *Scotland* but the like Preparations for her Reception (*c*). On the 16th of *June* ſhe ſet out from *Richmond* in the Company of the King her Father, who brought her as far as *Colliweſton* on the Way: The Earls of *Northumberland* and *Surrey*, with a pompous Retinue of Lords, Ladies, Knights and Eſquires waited on her from thence to *Lamberton*-Kirk, where the King her Husband, no leſs Royally attended, received her, and brought her the ſame Day to *Dalkeith*, and the next to *Edinburgh*. The Marriage was celebrated with incredible Magnificence, the whole Nobility and moſt of the Gentry of *Scotland* being preſent, together with great Numbers of others, who came thither, not only from *England*, but from the Parts beyond the Sea, particularly from *France*. Among the reſt one Monſieur *Darcy* a Knight, who aſſumed to himſelf the Name of the Sieur or Chevalier *de la Beaute*, made a remarkable Figure. He tried Barriers with the young and gallant Lord *Hamilton* the King's Couſin German, and both came off with equal Honour. Many others ſignalized their Courage, and ſhewed their Skill in performing all the Martial Exerciſes of theſe Times: But none came near in any Performance to the *Savage Knight* (that was the King himſelf,) who appeared really to be the Perſon, whoſe Character, ſuch as the Wits of thoſe Times had drawn it, he ſtudied to equal. His Retinue, who were hardy and robuſt Highlanders, did really ſmart in thoſe feigned Conflicts; for they fought as in a true Battel with Targets and two handed Swords to the Muſick of their Bag-pipes,

She comes to *Scotland*.

Gallantry of the *Scots* Court.

(*a*) Which ſee at large in the Regiſt. (*b*) Fœd. Angl. Tom. 13. p. 63. (*c*) Holinſh. p. 412, 413. Haw. p. 202.

Bag-Pipes, inſomuch, that they were admired by the *Engliſh* and *French*, who had never ſeen Men ſo ambitious of Wounds, and ſo prodigal of their Blood in Sport. In fine, all Perſons of any Rank or Quality were by the King himſelf, or by his Orders nobly entertained, and kindly diſmiſſed. But what ſeems moſt ſurprizing is, that the *Engliſh* confeſſed themſelves to have been outdone (*a*) by the *Scots* Lords and Ladies in thoſe Things they valued themſelves chiefly upon, *viz.* coſtly Apparel, maſſie Chains, ſumptuous Banquets and rich Furniture; an Indication of what *Scotland* might be, if ſhe was ſometimes bleſſed with the Preſence of her Sovereign, or if her Native Wealth was ſpent, as of old, within her own Bounds.

When all theſe Jollities were over, the King, who was heartily well pleaſed with his Royal Conſort, took care to have her Jointure confirmed in a Parliament, (*b*) which was held at *Edinburgh* in *March* 1504; and, as if that had not been enough, he afterwards appointed Sir *Hugh Campbel* of *Lowdon*, (*c*) Sheriff of *Air*, to *Infeft* her in the Lordſhip of *Kilmarnock*: Which was done accordingly (*d*) before Witneſſes, *Conſtantine Dunlap* of *Hunthall*, *John Lockhart* of *Bar*, *David Crawford* of *Kerſe*, *Alexander Boyd* Baillie of *Kilmarnock*, *Thomas Gyllam* an *Engliſhman*, &c. A. D. 1504.

The next Year 1505, the Pope's Ratification (*e*) of the whole Treaty lately concluded with *England*, was brought to *Edinburgh*; and thus both the Kings having performed their reſpective Obligations, they did ever after all the good Offices in their Power to one another. I ſhall inſtance in one or two, the rather becauſe no Author has hitherto taken notice of them. *Edmund de la Pool* Earl of *Suffolk*, who by his Mother *Elizabeth Plantagenet* was the Nephew of King *Edward* IV. and *Richard* III. and by conſequence deſcended from the Houſe of *York*, was in no degree agreeable to King *Henry*; and no wonder, for, beſides the original Guilt of his maternal Blood, he himſelf had committed many real Offences, having twice fled to *Flanders* with a deſign to engage foreign Potentates in a League againſt his lawful Sovereign: And none of them made him more welcome than *Charles* Duke of *Gueldre*, King *James*'s near Relation and Ally, inſomuch that, tho he had faithfully promiſed (*f*) to *Patrick Haliburton* the King's Envoy at his Court, that he would by no means admit the rebellious Earl into his Territories; yet he did it, which ſo much exaſperated King *James*, that he wrote to him a moſt ſevere Letter, upbraiding him with his want of Faith, and aſſuring him, that while he entertained ſuch Gueſts, he was to expect no Supplies either of Men or Money from him. Theſe Threatnings had their deſigned Effect; for the truth is, the Duke of *Gueldre* could not ſubſiſt without the Aſſiſtance of King *James*, or at leaſt of ſuch other A. D. 1505.

Good Correſpondence between K. *James* and K. *Henry*.

The Duke of *Gueldre* quarrelled by K. *James*.

(*a*) Leſl. p. 328. (*b*) Fœd. Angl. Tom. 13. p. 92, 93. (*c*) Ib. p. 95. (*d*) Ib. p. 96. (*e*) See the Orig. in the Reg. (*f*) Vid. Epiſt. Reg. Duci Gueld. in Bibl. Jur. Edin.

Allies as King *James* procured him. The Reaſon was this, (*a*) *Arnold* Duke of *Gueldre*, the Father of *Mary* Queen of *Scotland*, was impriſoned by his own ambitious and unnatural Son *Adolph*, who laid hold on the Opportunity afforded by the Troubles in *Scotland* during the laſt Reign, to attempt and perfect that Villany. But what the King of *Scotland* could not do, *Charles* the Warlike, Duke of *Burgundy* did; he relieved the old Duke by Force of Arms, and carried his Son a Priſoner to his own Territories. For which good Office, which was heightned by a great Sum of ready Money, Duke *Arnold* made over all his Dominions, that is, the Dukedoms of *Gueldre* and *Juliers*, and County of *Zutphen* to his Benefactor. But *Adolph* did not think himſelf obliged to ſtand to that Bargain: After the Death of the Duke of *Burgundy*, he got free from his Impriſonment by means of the *Gauntois Anno* 1477, and having regained the Dominions of his Father, left them to *Charles* his Son and Succeſſor, together with a perpetual War againſt the Princes of *Burgundy* and *Auſtria*, who, pretending the Sale and Legacy of his Grand-father, endeavoured by all means to diſpoſſeſs him. He defended himſelf very long and very bravely, as appears not only from vulgar Hiſtorians, but alſo from a great many private Letters written by King *James* to himſelf, (*b*) and in his behalf to the Emperor, the King of the *Romans*, the Kings of *France*, *England* and *Caſtile*, the Chancellor and Senators of *Burgundy*, &c. Now the Kings of the *Romans* and *Caſtile*, in Right of the Houſe of *Burgundy*, to which a Prince of the *Auſtrian* Family had ſucceeded, were preſſing hard upon the courageous Duke, when King *James* threatned to withdraw all manner of Aſſiſtance from him. But ſometime after, when the Duke at his Deſire, had diſmiſſed the Earl of *Suffolk* out of his Territories, and was nevertheleſs like to be attacked by King *Henry* of *England*, who, to oblige the King of *Spain*, and perhaps to indulge his own particular Reſentment, was preparing both a Fleet and Land Army againſt him, King *James* very honourably interpoſed in the Matter: He wrote a moſt polite and elegant Letter, (*c*) as all his Letters were, to his Father-in-law, by which he told him that the Duke of *Gueldre* was his near Relation and Ally, that failing Iſſue of the Duke's Body, and that of the Queen of *Sicily*, he himſelf, in Right of his Grand-mother, had an undoubted Title to thoſe Dominions; that he was therefore obliged to defend them as his own Inheritance, againſt all the World. That by an Article of the late Treaty, he might ſend Auxiliary Forces to the Aſſiſtance of the Duke, who was expreſly comprehended in it. That if the *Scots* and *Engliſh* ſhould meet in the *Low-Countries* with their Swords in their Hands, it would be no eaſie Task to keep them from uſing Repriſals at Home; that by conſequence the Peace muſt be broken, and, adds he, *My moſt illuſtrious and deareſt Father*

Upon what account.

Is diverted from his Deſign,

And powerfully protected by K. *James*.

(*a*) Heylin of Gueldres. (*b*) Collect. of Ja. IV. & V's Lett. Bibl. jur. Edin. (*c*) Ibid.

Father conſidered as an Enemy. He received ſuch an Anſwer to his Letter as he deſired, that is, King *Henry* aſſured him, that he would not give Aſſiſtance to the Enemies of his Ally. Upon which, the King diſpatched *Robert Forman* Dean of *Glaſgow* and the Lord Lyon, to let the Duke know ſo much, and at the ſame time both to ſollicite Succours from *France*, and to negotiate a Peace with the Emperor *Maximilian*. By all which we ſee, that he both protected his Couſin, and was not behind in good Offices with his Father-in-law. Another Proof of their reciprocal Integrity and good Correſpondence may be drawn from what follows.

The King's Intereſt and Power in *Ireland*.

Tho the Kings of *England* had conſidered themſelves, for ſome hundred Years bypaſt, as ſovereign Lords of *Ireland*, yet it is certain, that a great many of the Natives had not ſubmitted to the Yoke; or if they did, that they watched all Opportunities of ſhaking it off, and often applied to foreign Princes for Aſſiſtance, particularly (*a*) to *Haco* King of *Norway*, and (*b*) to *Robert* I. King of *Scotland*: Nay, there were thoſe among them, who always, or for the moſt part, kept a cloſe Correſpondence with the Kings of *Scotland*, by whom they were protected in Oppoſition to the *Engliſh* Intereſt; beſides, no ſmall part of the North of *Ireland* was poſſeſſed by *Scots* Colonies, and theſe Colonies were ſubject to, and dependent upon the Crown of *Scotland*, as I have elſewhere obſerved, and will afterwards have occaſion to do. Matters ſtanding thus, one *Odon Odongneil*, (*c*) a great Man among the Natives, (whoſe Father had entred into a League Offenſive and Defenſive, I know not whether, with this King *James* IV. or his Father,) had, it ſeems, a mind to aſſert the Liberty and Independency of his Country with his Sword in his Hand; and not doubting but that King *James* would concur towards that Enterprize, he ſent *Æneas Mackdowal* from the Town of *Drumangeill* to the Court of *Scotland* with Orders to acquaint the King of his Father's Death, and by vertue of the League, to require a Supply of 4000 Men, under the Conduct of *John* the Son of *Alexander Mackeane*. He alſo deſired, that the King would give Orders to his Subjects in *Claudompnail* not to moleſt him or thoſe who adhered to him, and that he would not go out of his own Kingdom to meet with his Father-in-law the King of *England*. The King made Anſwer, That he would not be wanting to ſend him ſuch Supplies of Men as were deſired, provided that he was ſatisfied with the reaſonableneſs and juſtice of the War which he intended to commence; and that as for the Interview concerted between him and his Father, it was ſo pious and Holy, that he would not be eaſily diſſwaded from it: But that he ſhould give Orders to his Subjects to live in Peace with him, and perſwade the King of *England* not to attempt any thing againſt him. How happy had the three Nations been, if they had been always governed

(*a*) See Vol. I. p. 321, 323. (*b*) Ib. p. 601. (*c*) Collect. of K. I. Lett. in Bibl. Jur. Edin.

verned by two ſuch Kings as *Henry* and *James*? Yet as friendly as they were, and as much as they both deſired to meet and confer with one another, they never did it, the Affairs of their reſpective Subjects and Allies obliging them to keep at Home.

Good Offices done to the King of *Denmark*.

King *James* concerned himſelf no leſs in thoſe of his Uncle *John* King of *Denmark*, *Swedeland* and *Norway*, than in thoſe of his Couſin the Duke of *Gueldre*. The Subjects of the King of *Denmark* had received ſome Injury from the *French* many Years before this time, and a War was like to break out between him and *Lewis* XII. King of *France*, when King *James*, tho then a very young Man, (for it was in the Year 1498,) was made Umpire between them, (*a*) and as ſuch, preſcribed ſo equitable Terms of Peace, Commerce and Alliance, as both theſe Monarchs very chearfully acquieſced in. But now the King of *Denmark* was harder put to it by the Revolt of his *Swediſh* Subjects, he had again recourſe to the Affection and Power of his Nephew, who failed him not. *Holinſhed* ſays, (*b*) That the King of *Denmark* was actually dethroned, and that he came in Perſon to *Scotland*, from whence he expected Aſſiſtance; that accordingly the Lord *Hamilton*, lately made Earl of *Arran*, with an Army of 10000 Men, was appointed to attend him back to his own Dominions, and that the Earl had actually the Honour of reſtoring him to his Throne. But all this cannot be true; for *John* King of *Denmark* was never dethroned, that is, he never loſt his Kingdoms of *Denmark* and *Norway*. The *Swedes* indeed being weary, as it was no wonder, of the diſadvantageous Union, concluded at *Calmar* between the three Northern Kingdoms, revolted about this Time (*c*), and returned to their Government by Marſhals. It is not my Province to enter into the Detail of the War and Treaties occaſioned thereby; but it is moſt certain, that King *James* was eminently concerned in all thoſe Tranſactions. He ſent the Lyon King at Arms to the Archbiſhop of *Upſal*, who, being Primate of *Swedeland*, had a very great Authority there, and wrote a moſt pathetick Letter to him (*d*): From which, as from a great many more of the ſame King's Letters, two things are evident. The firſt, that King *James* IV. and conſequently his Predeceſſors, conceived his own Power to be ſo far abſolute, as that it could not be controuled even by Parliament; and the ſecond, that the Doctrine of Nonreſiſtance and Paſſive Obedience, which ſome People moſt erroneouſly pretend to be no older than the Reformation, obtained in his Time: For he preſſes it home to the Archbiſhop, with as great force of Eloquence, and as ſolid Arguments, as the higheſt Flyers of the Church of *England* have ever done, or were capable to do. He wrote in the ſame Strain to the Magiſtrates of *Lubeck* (*e*) whom in his own Name, and in that of all Kings, he diſſwades from

(*a*) See the Treaty at length. Hiſt. Lewis XII. p. 303, 304, &c. It. Traites d'entre les Roys de Fr. & d'Angl. p. 382. (*b*) p. 413. (*c*) Heylin. p. 451. (*d*) Collect. of Lett. in Bib. Jur. Edin. (*e*) Ibid.

rom aſſiſting the rebellious *Swedes*, and plainly intimates his ntention to arm againſt both them and the *Swedes* in Behalf of his Uncle the King of *Denmark*. The *Lubeckers* complied with is Deſire; for they brought the *Swedes* to ſubmit to Terms of Peace, but not till they were certainly informed, that the King of *Scotland* had a Fleet ready, and that at his Requeſt the King of *France* was fitting out another to attack them. All this appears rom his Letters (*a*) to the Kings of *France* and *Denmark*; and by one to *Chriſtine* Queen of *Denmark* (*b*) it is evident, that upon another Occaſion he did ſend a Fleet to her own and her Husband's Aſſiſtance; and that Fleet, which was no doubt commanded by the Earl of *Arran*, has probably occaſioned *Holinſhed* to ſay, that the Earl reſtored the King of *Denmark* to his Throne. But the Truth is, Matters were adjuſted before the Arrival of the *Scottiſh* Succours, who returned ſooner than they were expected, which, ſays he King, they durſt not have done, if they had not brought back n Account of the Queen's being perfectly well, and free from all he Dangers of War, which ſhe had ſuſtained with great Fortitude, nd for which he much applauds and heartily congratulates her.

The *Dutch* chaſtiſed.

While the King was thus employed in ſupporting his Allies (*c*), he *Hollanders*, either provoked by the Protection which he gave to he Duke of *Gueldre*, or out of Covetouſneſs, their domineering Paſſion, plundred ſome *Scots* Ships, and threw the Merchants and Mariners overBoard: But to their Coſt; for the King, who had lately auſed a Ship of a prodigious Magnitude to be built, appointed *Andrew Barton* an excellent Sea-Officer to command her, and to avenge the njury received. Accordingly Captain *Barton* put to Sea, and ſoon after, as a Proof of his Succeſs, he ſent a great many Cheſts filled with he Heads of *Dutch* Pirates to the King, and afterwards returned himſelf with many rich Prizes and much Honour. Much about he ſame Time three Miniſters commiſſioned by foreign Potentates arrived in *Scotland*, namely (*d*) Sir *George Dundaſs* Knight of *Rhodes* rom *Emerick* grand Maſter of that religious and military Order, now called of *Malta*; *Anthony* de *Inciatis*, a Knight of *Alexandria* rom Pope *Julius* II. and a third, whoſe Name I do not find upon Record, from *Lewis* King of *France*. The Buſineſs of Sir *George Dundaſs* was only to compliment the King in the Name of the grand Maſter his Superior; but that of the Pope's Nuncio was in thoſe Days thought a Matter of very great Honour and Importance, for he brought with him a Cap of Maintenance and a Sword, and preſented them to the King as to a Defender of the Faith. The ſame Pope had but two Years before paſt the like Compliment (*e*) upon *Henry* VII. of *England*, and *Engliſh* Authors ſay, that it was not the firſt Time, that their Kings had received the glorious Title of Defenders of the Faith from the Apoſtolick See: But tho they did, it is plain from this Preſent of

A.D. 1507.

Foreign Embaſſies arrive.

The King entituled *Defender of the Faith.*

(*a*) Ibid. (*b*) Ibid. (*c*) Holinſh. p. 413. Leſl. p. 329. (*d*) Coll. of Lett. in Bibl. Jur. Edin. (*e*) Ech. p. 617.

Pope *Julius*, that the Kings of *Scotland* were no leſs honoured in that reſpect, than they. Nay, I have elſewhere ſhewed, that the Kings of *Scotland* have alſo received from Popes the Stile of *moſt Chriſtian*; ſo that, the two pompous Titles of *moſt Chriſtian King*, and *Defender of the Faith*, which are now aſſumed by, and thought peculiarly due to the Kings of *France* and *England*, might have been aſſumed by thoſe of *Scotland*, if the laſt had been as fond of ſuch Titles as their Neighbours.

One of the Reaſons why Pope *Julius*, a ſtout Defender of the Patrimony of St. *Peter*, and who carried both the real and pretended Rights of the Pontificate as far as any of his Predeceſſors or Succeſſors, did at this Time ſo highly compliment the two *Britiſh* Monarchs, was this. He wanted to have the (*a*) Patrimony of St. *Peter* entirely reſtored to St. *Peter*'s Succeſſors, as alſo to humble the *Venetians*; and it is ſaid to have been his ordinary Diſcourſe, that he would one Day make *Italy* free from *Barbarians*, meaning the *French* and *Spainards*, or at leaſt, the *French*, to whom the *French* themſelves ſay that he had an invincible Averſion. In order to compaſs theſe Ends, he ſtood in need of the Aſſiſtance of other Princes, and therefore courted their Friendſhip by all Means poſſible, eſpecially that of *England* and *Scotland*. Whether he actually ſollicited King *James* and King *Henry* at this Time, as he did ſome Years afterwards, to take Arms againſt *France*, is more than I know, or have Reaſon to believe; but if he made any Inſinuations to that Purpoſe, it is certain that they were unſucceſsful. King *James* received his Preſent and Letters with all imaginable Reſpect, and much applauded a Deſign which his Holineſs had then in View, which was to endeavour a Reconciliation or Union between the Weſtern Church and that of the *Ruſſians* or *Muſcovites* (*b*). Nay, his Majeſty promiſed to ſend an Embaſſie to *Muſcovy*, in order to ſecond the Zeal of his Holineſs: But he was ſo far from entring into any Meaſures prejudicial to the King of *France*, that even while the Nuncio was at Court, he not only entertained the *French* Ambaſſador as before, but alſo diſpatched an Envoy to *France* (*Robert Cockburn* Poſtulate Biſhop of *Roſs* was the Perſon,) with many Thanks for the good Offices done by his moſt Chriſtian Majeſty to the Duke of *Gueldre* (*c*), and an Aſſurance that 4000 Foot ſhould be forthwith embarked for *Savoy* or *Genoa*, towards aſſiſting him to preſerve his Dominions in *Italy*. The Earl of *Arran* was to command theſe Forces, and King *James* wrote to King *Lewis* (*d*) that the Earl who was his Couſin German [*amitinus & conſobrinus*] was extremely deſirous of that Employment, and ſo much the more forward to ſerve his Majeſty with *Heart and Hand*, that he had the Honour to be nearly related to him by his Blood. But I do not find that theſe Succours were ſent upon this Occaſion: Nor were they neceſſary; for the *Genoeſe* who had ſhaken off

His Conduct with Relation to the Affairs of *Italy*.

And of *Muſcovy*,

And of *France*.

(*a*) Mezeray dans la vie de Lewis XII. (*b*) Collect. of Lett. above cited. (*c*) Ibid. (*d*) Ibid.

off the *French* Yoak at the Inſtigation of the Pope and Emperor, and elected a Duke of their own, were forced to ſubmit anew upon the Approach of King *Lewis*, who with 20000 Men put their Army to the Rout, and made a triumphant Entrance into their conquered City, upon the 29th of *April*, two Months before the Biſhop of *Roſs* ſet out for *France*, ſo that that Affair being happily terminated, his Errand, tho highly acceptable, became unneceſſary.

His Exerciſes at Home.

During all this Time, the King made many Progreſſes in Perſon through the Kingdom, holding Courts, redreſſing Grievances, puniſhing Offenders, *&c.* (*a*); by which means the Country became ſo peaceable, that he himſelf being deſirous to viſit the Shrine of St. *Duthac* on that Saint's Feſtival-Day, which, as *Holinſhed* relates, was the 31ſt of *Auguſt*, he took Horſe the Day before at *Stirling*, and from thence rode Poſt, without any Guard, or ſo much as one Servant to attend him, by *Perth* and *Aberdeen* to *Elgin*, that is, he made 130 Miles in a Day. He lay all Night in the Houſe of Maſter *Thomas Leſly* then Parſon of the Place, who, tho not ſufficiently provided for ſuch a Gueſt, yet wanted not good Accommodation. But the King, inſtead of going to Bed, ſlept upon a naked Table, and getting up betimes in the Morning, arrived at St. *Duthac*'s in *Roſs*, at about 40 Miles Diſtance from *Elgin*, in good Time to hear Maſs, and to partake of the Bleſſed Sacrament. He made other Pilgrimages to holy Places, if not alone, at leaſt on Foot, of which both *Roman* Catholick and Proteſtant Authors have taken Notice, to ſhew the good Uſe he made of the peaceable Part of his Reign. But King *James* was as great and magnificent at Court as humble and penitent in Church, giving many Royal Entertainments of all Sorts, both to his own Subjects and to Foreigners; but more particularly the next Summer 1508, when, being free from preſſing Affairs, he ſpent much Time in Martial Sports, himſelf ſtill acting the Part of King *Arthur*, or the *Savage Knight*, and his Nobles, thoſe of the other Knights of the Round Table. He took alſo great Delight in fine Horſes, and by all Means endeavoured to propagate their Breed in his own Dominions, as appears from ſeveral Letters ſtill extant (*b*), which he wrote to the Kings of *Spain* and *Poland*, entreating that they would ſuffer his Servants to purchaſe ſuch Horſes and Mares as their reſpective Territories afforded. In Requital he complimented them with hunting Dogs and little ambling Nags, commonly called Pownies or Gallowayes: And foreign Princes knowing how much he valued Horſes of greater Strength and larger Size, did not fail to indulge his Inclination. Amongſt others the Lord of *Terveer* or *Campheer* (*c*), whoſe Grandfather had the Honour of being married with a Daughter of King *James* I. ſent about this Time his Envoy the Bailif of *Terveer* to him, who preſented him with many

His Devotion and Vigilance.

A.D. 1508.

His Diverſions.

His Love of fine Horſes.

(*a*) Holinſh. p. 414, 415. Leſl. p. 331, 332, &c. (*b*) In Bibl. Jurid. Edin. (*c*) Holinſh. loc. citat.

large Horſes of *Flanders*, and he ſent his Order of St. *Andrews* back to the Lord of *Campheer*, with ſeveral Preſents of the Produce of *Scotland*. His Father-in-law ſent him likewiſe many fine Horſes and finer Furniture with a Gentleman, who, by the Preſent he received from him, underſtood how acceptable that of his Maſter had been. But it was the very great Misfortune of both Nations, that this proved the laſt Demonſtration of Kindneſs that the one King could give to the other. For,

A.D. 1509. *Henry* VII. dies, and is ſucceeded by *Henry* VIII.

On the 22d of *April* 1509, the great, and wiſe, and valiant, and peaceable King *Henry* VII. of *England* died, leaving his immenſe Treaſure and perfectly well ſettled Kingdom to his Son and Heir King *Henry* VIII. who appeared at firſt upon the Throne with ſo many bright Qualifications and Advantages of all Sorts, that every Body believed they would eclipſe the moſt ſhining Glories of either of the two Houſes of *York* and *Lancaſter*; both which had been joined and cemented in the Perſons of his Father and Mother, but were now entirely united in his own. All neighbouring Princes ſent Ambaſſadors to him with Compliments of Condolence upon his Father's Death, and of Congratulation upon his Acceſſion to the Throne. Among the reſt his Brother-in-law the King of *Scotland*, the chief Perſon employed on that Errand (*a*) being *Andrew* Biſhop of *Murray*, who, after King *Henry* (*b*) had ratified and confirmed the perpetual Peace concluded between the two Nations, took an Oath in his Maſter's Name that this laſt ſhould obſerve it punctually on his Part. King *Henry* took an Oath (*c*) to the ſame Purpoſe on the 19th of *Auguſt*, and King *James* (*d*) on the 28th of *November* following. Nay the former, to ſhew that he meant to purſue no other Meaſures but thoſe of his admired Father (*e*), on the 23d of *March* 1410, concluded alſo a Peace, or rather a Truce between himſelf and the King of *France*, which was to laſt, as that formerly agreed to by his Father, during the Life of the laſt Liver, and one Year longer, *Scotland* being by both expreſly comprehended in the Treaty. But a little Time diſcovered that the Son was not quite ſo Religious in the Obſervation of Treaties, as the Father had been: What occaſioned the Diſcovery was this.

Who ratifies the Peace with *Scotland*.

A.D. 1410.

A Quarrel between the *Scots* and *Portugueſe*.

During the Reign of King *James* III. (*f*) more than thirty Years before this Time, a *Scots* Ship richly laden, under the Command of *John Barton*, had been aſſaulted almoſt within the Port of *Sluce* in *Flanders* by *John Vaſquez* and *John Pret*, who commanded two *Portugueſe* Veſſels, in View of a large Fleet belonging to the ſame Nation. Many *Scots* Men were wounded, ſome killed, and others, together with their Ship and Effects, carried away to *Portugal*, as if there had been a juſt Quarrel or lawful War between the two Nations.

Upon

(*a*) Fœd. Angl. Tom. 13. p. 269. (*b*) Ib. p. 257. (*c*) Ib. p. 262. (*d*) Ib. p. 267. (*e*) Ib. p. 270. (*f*) Leſl. p. 336, 337, &c. Letters of King James IV. and V. to Eman. King of Port. in Bibl. Jurid. Edin.

Upon this King *James* III. granted Letters of Mark to *John* and *Robert Bartons*, the Heirs of Captain *John* who fell in the Engagement, with Power to them to revenge their Father's Murder, and to make Reprizals upon the *Portugueſe*. But, theſe Letters being recalled at, or a little after the Death of King *James* III. the Affair ſlept till about this Time, when King *James* IV. after having in vain ſought Redreſs from the King of *Portugal*, renewed his Father's Commiſſion in Favour of the injured *Bartons*. *Robert* had the Misfortune to fall into the Hands of his Enemies, who detained him and his Ship as a Prize in *Zealand*, till a Letter of the King's to the Emperor *Maximilian* procured his Relief; at leaſt I find that ſuch a Letter was written in his Behalf. But *Andrew*, another of the *Bartons*, had much better Succeſs; he ſcoured the Coaſts of *Portugal*, watched the *Portugueſe* Ships and Fleets whitherſoever bound, ſeized upon many of them, and gave a conſiderable Interruption to the Commerce of that Trading Nation. Nay, if we may believe the Accounts given us (*a*) by *Engliſh* Authors, he very much leſſened their King's Authority over the narrow Seas, and took many *Engliſh* Veſſels upon Pretence of their carrying *Portugueſe* Goods. If he did ſo, for which I ſee no Proof, the King of *England* ought in Reaſon and Juſtice to have complained to his Brother-in-law, with whom he had ſo lately renewed the Peace; and if Juſtice had been refuſed, it was then Time enough to make uſe of Repriſals. But he took another Courſe: He forthwith appointed the two Sons of the Earl of *Surrey* to do Juſtice to his Subjects by Force, who, *add they*, in the open Sea engaged with *Barton*'s two Ships, which maintained a long and cruel Fight, the *obſtinate Pirate*, tho wounded even to Death, encouraging his Men with his Whiſtle to his laſt Breath; but the *Engliſh* at length prevailed: They ſeized upon the *Scots* Ships, made all the Men Priſoners, carried them to *London* and preſented them to their Maſter; who, upon their Submiſſion, graciouſly pardoned them, with this *Proviſo*, that they ſhould depart the Kingdom within twenty Days. The *Scots* tell the Story quite otherwiſe. According to them (*b*) Captain *Barton* was ſailing homeward in a peaceable Manner by the *Downs*, having with him one good Ship called the *Lyon*, or, as others (*c*) will have it, the *Unicorn*, and a Bark called *Jenny Pyrwin*, when Sir *Edmond Howard* Lord Admiral of *England*, and his Brother Lord *Thomas*, Son and Heir to the Earl of *Surrey*, ſeeing him at a Diſtance, gave ſuch Signs of Friendſhip, as were uſual in Time of Peace: But when they came within Shot of him, they attacked him inglorioufly, but reſolutely, and overpowering him at laſt by the Numbers of their Men and Ships, conducted him to *London*, where he died of his Wounds, and the Remainder of his Crew having been ſometime confined to the Palace of the Archbiſhop of *York*, were ſet at Liberty and diſmiſſed.

Andrew Barton his Exploits at Sea.

A.D. 1411.

Is taken by the *Engliſh* and treated as a Pirate.

(*a*) Echard, p. 624. (*b*) Leſl. p. 340. (*c*) Holinſh p 416.

His ill Uſage reſented by the King.

King *James* hearing of this Outrage done to his own Authority, to his Subjects in general, and to one of them in Particular, for whoſe Courage and Conduct he had a great value, ſent to require Satisfaction from King *Henry*, as being againſt the Treaty between them. But it was anſwered, ſays Mr. *Echard*, (*a*) that i did not become a King to impute Breach of Treaty to his Confederate and Ally, only for ſhewing Mercy to Pirates. This Anſwer was not only extravagantly haughty, but alſo highly impolitick, as Matters then ſtood; for King *Henry*, who mightily deſired to ſignalize his Name and Advancement to the Crown by ſome glorious Enterprize, had now reſolved to enter into League againſt *France* at the Requeſt of Pope *Julius*, and the way to bring King *James* into the ſame Meaſures, was not to hector him, by high Words and unjuſtifiable Attempts, out of his Right to give Letters of Mark to his trading Merchants or injured Subjects. Indeed King *James* could never intirely digeſt the Maletreatment which he received in the Perſon of *Andrew Barton*, tho he often ſhewed himſelf willing to accommodate the Matter amicably. But that the Reaſons, why no Accommodation could be made, may be fully underſtood, it is neceſſary to take a Survey of the the Conjuncture of Affairs beyond the Seas.

I have already told that Pope *Julius* II. had a fixed Reſolution not only to recover the Lands belonging to the Church out of the Hands of thoſe Laicks who had uſurped them, but alſo to ſecure at leaſt he pretended ſo, the Peace of *Italy*, by driving all Foreigners, but more particularly the *French* from thence. He therefore quarrelled, ſay *French* Authors, (*b*) with their King *Lewis* XII. upon all Occaſions. And on the other hand, King *Lewis* not only reſolved to make War againſt the Pope, but alſo to depoſe him, if poſſible. With this View he and ſome others had the Courage or Confidence to call a general Council together for the Reformation of the Church, as they gave out, as well in its Head, as in its Members. Accordingly ſuch Prelates were found as did meet, firſt at *Piſa*, and afterwards at *Milan*, where calling themſelves a Council, they ſummoned *Julius* to come thither in Perſon, in order to juſtify himſelf of ſuch things as ſhould be laid to his Charge. In the mean time they ſuſpended him of the pontifical Adminiſtration, ſtrictly forbidding all Perſons to pay him Obedience. But, as this bold Attempt was ill concerted, ſo it ſeemed unwarrantable to all States and Churches in *Europe*, ſave thoſe of *France*; and by conſequence furniſhed the Pope with a fair Pretence to ſollicite the Aſſiſtance and Protection of all others, in Oppoſition to, what he called, *a Handful of Schiſmaticks*. The *Venetians*, the *Switzers*, the King of *Spain*, who till now had lyen by as a neutral Prince, the *Florentines*, and the Emperor *Maxi-*

The Pope makes a League againſt *France* with moſt States in *Europe*.

(*a*) P. 624. (*b*) Mezer. vie de Lewis 12. Traitez d' entr. les Roys de Fr. & d'Angl. p. 382, 383.

Maximilian, tho at the time allied with *France*, unanimouſly declared themſelves for the Pope; but none was ſo forward to enter into that holy League (for ſo they called it,) as *Henry* VIII. of *England*: And of all the former Allies and Confederates of King *Lewis* none remained in Amity with him, but *John* King of *Navarre*, who yet did not act avowedly in his Favour, *Charles* Duke of *Gueldre*, (who being violently attacked by the Governeſs of the *Netherlands*, was neceſſitated to oppoſe the League in his own Defence,) and the King of *Scotland*.

Both Parties endeavoured by all means poſſible to win over this laſt to their reſpective Intereſts. The ſovereign Pontiff wrote many long Letters to him, ſome of which are ſtill extant,(*a*) complaining that he alone of all Chriſtian Princes ſeemed favourable to the Schiſmaticks, and by quarreling with his Brother-in-law the King of *England*, hindred that pious Monarch from vindicating the Honour of the Church, and aſſerting the Rights of the Holy See. He added many pathetick Expreſſions to the ſame Purpoſe, ſometimes reminding him of the Glory and Zeal of his Anceſtors, who, ſince their firſt Submiſſion to Pope *Marcus* in the Days of *Conſtantine* the Great, had always been dutiful Sons to the Biſhops of *Rome*; at other times threatning the Vengeance of Heaven, and all the Miſchiefs which God in his Wrath is wont to pour down upon the Abettors of Schiſm and Enemies of Religion. But all in vain; King *James* very well knew, that, tho his Anceſtors had been zealouſly devoted to the Apoſtolick See, yet none of them had thought fit to be over-ruled by ſuch as filled that See in Temporal Matters; That all Popes, tho acknowledged to be the Succeſſors of St. *Peter* and Vicars of Chriſt upon Earth, were not Saints; nay, that many of them had been very ill Men; that a juſt War might be waged againſt them as Temporal Princes, and that it was more fit that general Councils ſhould depoſe them, if found guilty, than that they ſhould depoſe Kings upon any account whatſoever, as too many of them had offered to do, and Pope *Julius* in particular. He therefore abſolutely refuſed to comply with the Pope's Deſire; but at the ſame time rejected the Council of *Piſa* (*b*) as unwarrantable, and likely to beget a Schiſm. And to ſhew that he meant not to deprive the Holy See of her ancient Rights, (*c*) he permitted a Synod of the whole Clergy to be held in the *Black Fryars* at *Edinburgh*, where, in preſence of the Pope's Nuncio, the old *Task of Bagimont* was ratified, that is, all Benefices valued above fourty Pound *Sterling* a Year, were to pay a certain Sum to the Pope for his *Annates* and *Bulls*, and as much to the King as he himſelf, when Neceſſity called for it, ſhould think fit to require. A remarkable Agreement, by which it appears, that in theſe Days the Kings of *Scotland* were, with the Pope's and Clergie's Conſent, in ſome meaſure abſolute Maſters of

The Pope ſollicites K. *James* to enter into the League.

But in vain.

Bagimont's Task.

(*a*) In Bibl. jur. Edin. (*b*) Ibid. (*c*) Leſl. p. 341.

the Churches Revenues; conſequently that the Church of *Scotland* was neither ſo rich, nor the King ſo poor as is commonly believed.

A fruitleſs Embaſſie from *England.*

Much about the ſame Time the Lord *Dacres* and Doctor *Weſt* came with the Character of Ambaſſadors from *England*, as did Monſieur *de la Motte* from *France*. The two firſt offered all fair Things to the King, particularly that Satisfaction ſhould be made for the Injury done to *Andrew Barton*; nay, they alſo promiſed that the King their Maſter would withdraw the Forces which he had ſent to *Flanders* againſt the Duke of *Gueldre*, and that he was willing to continue in Peace with *France* upon reaſonable Terms. All which would have been very ſatisfactory to the King, if at the ſame time he had not perceived a backwardneſs in the Ambaſſadors to enter upon a Treaty, or had not been afterwards informed that the *Engliſh* Fleet was actually ſailed, with a Land Army of 10000 Men, towards the Coaſts of *France*. Then he plainly perceived (*a*) that King *Henry* deſigned only to gain Time, and to hinder the *Scots* Fleet from putting to Sea, till his own ſhould get off unmoleſted. Wherefore King *James* immediately commanded *Robert Barton* with ſeveral ſtout Ships to ſet Sail for the Coaſts of *England*; who did it accordingly, and returned in the Month of *July* with thirteen *Engliſh* Prizes. The Borderers alſo fell foul upon one another, and there was every where a viſible Tendency to an open War. Upon which, it ſeems that King *James* was fully reſolved; for I find (*b*) that he ratified the ancient League with *France*, no doubt at the inſtance of Monſieur *de la Motte*, twice this Year; firſt at *Edinburgh* on the 16 of *March*, and afterwards on the 10th of *July*. King *Lewis* did the ſame at (*c*) *Blois* on the 12th of *September*. The Ratifications of both are expreſſed in the very ſame Words. They refer to all former Treaties, particularly to that concluded between *Philip le Bell* and *Robert Bruce*, and all the material Clauſes contained in former Treaties are expreſly mentioned *in this*, with this remarkable Difference, "That "whereas before, the Kings of *Scotland* and *France* were only "obliged to aſſiſt one another in Oppoſition to the *Engliſh*, or ſuch "others as ſhould offer to invert the Hereditary Right of Succeſſion to their reſpective Crowns, they became now bound to aid "and aſſiſt one another, and even *in Perſon*, if occaſion ſhould re"quire it, againſt *all who may live and die*; that is, the King of "*Scotland*, rather than that his Allies the King of *France* and "Duke of *Gueldre* ſhould periſh, undertook, in Conjunction with "them, to make War againſt the Pope and all *Italy*, the Emperor "and all *Germany*, the King of *England* and his formidable Domi"nions of *England* and *Ireland*, the King of *Arragon* and all *Spain*, "the Governeſs of the *Netherlands* and all *Holland*, *Brabant*, *Flan-*

A. D. 1512.

Engliſh Ships taken by the *Scots*,

Old League renewed with *France*,

An Additional Clauſe.

ders

(*a*) Leſl. p. 342, 343. Holinſh. p. 416, 417. (*b*) See the Treaty at length in a MS. penes Comit. de Wint. (*c*) See the Original in the Regiſt. Edin.

" *ders*, &c. the State of *Venice*, Cantons of *Switzerland*, &c." Than which nothing could be more daring or generous, and at the ſame time nothing more prudent or neceſſary; for he well knew the incroaching Temper of King *Henry*, who, had he once humbled *France*, was not like to be a Friend to, and would have been too potent an Enemy for *Scotland*. Indeed it was very probable that *France* alone could not hold out long againſt ſuch a potent Confederacy. King *Lewis* loſt all his Territories in *Italy* this Year, (*a*) and had not King *Ferdinand*, who ſeized upon the Kingdom of *Navarre*, put a Trick upon his Son-in-law King *Henry*, the *Engliſh* had infallibly conquered a part of *France*.

Succeſs of the League againſt *France* and *Navarre*.

In the mean time Pope *Julius* died, but not till he had firſt framed a Decree for transferring the Kingdom of *France*, with the Title of *Moſt Chriſtian*, to the King of *England*. A horrid and unjuſtifiable Preſumption, for which, and by reaſon of the violence of his Paſſions, the *French* Author, whom I have cited, tho a *Roman* Catholick, ſays, That he acted more like a *Turkiſh* Sultan, than the common Father of Chriſtians. He had alſo commiſſioned (*b*) the Cardinal of St. *Praxis* to excommunicate the King of *Scotland*, upon pretence that he had ſubjected himſelf to the Cenſures of the Holy See, in caſe of his violating the perpetual Peace with *England*, as if that Peace had not firſt upon many accounts, of which afterwards, been violated by King *Henry*, who, at the ſame time, made all the neceſſary Preparations towards a Perſonal Expedition into *France*; which occaſioned the King of *Scotland* to make ready for the worſt, and his (*c*) Allies were not wanting to aſſiſt him with timely Supplies of Neceſſaries. The King of *Denmark* ſent to him ſeveral Ships laden with Guns, Powder and Arms of all ſorts. Monſieur *de la Motte* landed at the ſame time in the Weſt with four Ships freighted with Wine and Flower from *France*; and the great *Odonel* of *Ireland*, the ſame probably whom I have mentioned above, came in Perſon to *Edinburgh*, offered him his Service, renewed the former League that had been concluded between their Fathers, and being highly honoured and richly rewarded, returned to his own Country, with deſign to attack the *Engliſh* there, as ſoon as he ſhould be informed that the War was commenced here. But,

A.D. 1513. Pope *Julius* II. dies.

Preparations for War on all ſides.

King *James* had at the time a noble Fleet in the River of *Forth*, and amongſt many others, of which it was compoſed, three Ships, the *Michael*, *Margaret* and *James*, univerſally admired for their Bulk and Strength. He gave the Command of the whole to *James Gordon* of *Latterfury*, a Son of the Earl of *Huntley*, with Letters of Mark and Orders to tranſport the Earl of *Arran* and three or four thouſand Men under his Conduct with all Expedition into *France*. Accordingly the Fleet ſet Sail on the 26th of

Scots Fleet ſent to *France*.

(*a*) Mezer. loc. cit. Ech. p. 625. (*b*) Fœd. Angl. Tom. 13. p. 385. (*c*) Holinſhed p. 416, 417, &c. Leſl. p. 343, 344, &c.

July, and the King to encourage and honour both the General and Admiral, went on board the *Michael*, where he ſtaid till they were paſt the Iſland of *May*. If this be true, as no doubt it is, ſince vouched by *Leſly* and *Holinſhed*, it is enough to confute *Buchanan*, (*a*) and thoſe, who depending upon his Authority, have related that the Earl of *Arran* was Commander of the Fleet; whereas indeed, only the Land Forces were committed to his Care, and that inſtead of ſailing for *France*, he treacherouſly or fooliſhly made ſtraight to *Ireland*, where, after having plundred *Knockfergus*, a friendly Town, he returned to *Air* in *Scotland* triumphantly, as if he had done a great Action.

Buchanan confuted.

We have not a Word of this, neither in *Leſly* nor *Holinſhed*; and Doctor *Baillie*, who has written a MS. Hiſtory of the Family of *Hamilton*, tells the Story quite otherwiſe. If we may believe him, the Earl of *Arran*'s good Behaviour in the *Daniſh* Expedition abovementioned, entituled him to command the Forces which were ſent over to *France* upon this Occaſion. Theſe Forces did very great Things under his Conduct, and the King of *France* was ſo well pleaſed with him and them, that he gave him a yearly Penſion during his Life; *the Brevet whereof*, ſays Doctor *Baillie*, *I have ſeen.* In his Return from *France*, after the War was finiſhed, he put in at *Knockfergus*, and offered ready Money to the Inhabitants for Proviſions to his Army, but they barbarouſly refuſed to grant him that civil Requeſt. Upon which he aſſaulted, took and plundered the Town, as he had Reaſon, and ſo returned to his own Country with a rich Booty and much Glory. What to me ſeems a very great Confirmation of the Story, as the Docto relates it, is, that ſoon after the Arrival of the Fleet in *France*, the Priviledges of the *Scots* Nation were upon that very Account ratified and augmented: For tho it ſeems that long before this Time, the *Scots* in *France* were generally conſidered as Subjects and Denizons of that wealthy and noble Kingdom, no leſs than the *French* themſelves; yet ſome Judicatories did diſpute their Rights. Upon which (*b*), the Biſhop of *Murray* King *James*'s Ambaſſador, and *Robert Stewart* Sieur *d'Aubigny* Captain of the *Scots* Guards laying hold on the favourable Opportunity, complained of the Injuſtice of thoſe Judicatories, and repreſented to King *Lewis* that the *French* were and had ſtill been poſſeſt of the like Priviledges in *Scotland*. Wherefore King *Lewis*, in the Month of *September* following, when at *Amiens*, cauſed *Letters of Naturalitie* (as they are called) to be drawn up in Behalf of the whole *Scots* Nation. Theſe Letters are very ample, and tho they plainly retroſpect to former Treaties, by Vertue of which the Priviledges expreſſed in them were due, yet they are the firſt of that Kind which I have ſeen. The onerous Cauſes of, or Reaſons upon which the Grant is founded, are 1*ſt*, "Becauſe of the League which had been made

The *Scots* Denizons of *France*.

"and

(*a*) p. 456. (*b*) Chart. penes Comit. de Wint.

" and obſerved *de toute Anciennete* between the two Nations; and " in Conſideration of the great and mighty Services done by the " *Scots* to the Kings and Kingdom of *France*, eſpecially during " the Reign of *Charles* VII. when many Princes of *Scotland* came " over to *France*, and helped to expel the *Engliſh*, who were then " Maſters of the moſt Part of it: For which ſignal Piece of Ser- " vice, and the undaunted Courage expreſt by the *Scots* on all " Occaſions, that Monarch *Charles* VII. had appointed 200 of " them to guard his Perſon, of whom 100 were Men at Arms, " and are now, *adds the Record*, the 100 *Lances of our ancient Or-* " *dinance*, and 100 Archers, 24 of whom are called *Archers of the* " *Body*. 2*dly*, Becauſe of the unſhaken Fidelity, which, with- " out any Variation or Interruption, has at all Times been con- " ſpicuous in thoſe of that Nation, and of the extraordinary good " Offices done by the preſent King of *Scotland*, who has declared " himſelf a faſt Friend of the *French* Monarchy, in Oppoſition even " to his own Brother-in law the King of *England*, and has ſent both " a *conſiderable land Army*, and *a Fleet conſiſting of many good Ships* to " *France*: Upon which Account his Subjects ought to be forever " encouraged, and favoured above all others.

The ſame Day, on which the Fleet ſailed out of the *Forth*, Lyon King at Arms was diſpatched by King *James* to King *Henry* with a Letter, which contained all the Grounds of the War, and is to be ſeen in *Holinſhed* (*a*), to whom I refer my Reader. The Letter was delivered by the Lyon to King *Henry*, who, together with the Emperor *Maximilian*, was at the Time buſied in carrying on the Siege of *Terouenne* in *Flanders*. After having peruſed it, he told the Lyon that he would return a ſhort Anſwer to it, if he could be aſſured, that what he was to ſay would be faithfully related to King *James*; to which the Lyon replied in this Manner: " Sir, I am " his natural Subject, and he is my natural Lord, and what he " commands me to ſay, I may boldly ſay with Favour; but the " Commandments of others I may not, nor dare ſay unto my So- " vereign Lord, but your Letters ſent by me may declare your " Majeſty's Pleaſure; albeit your Anſwer requireth Doings and " not Sayings; that is, that you immediately ſhould return Home": *Then ſaid King* Henry, I will return at my Pleaſure, and not at thy Maſter's Summons. And ſoon after he gave him a Letter, to be ſeen, both in Mr. *Rymer*'s Collections (*b*), and in *Holinſhed*'s Hiſtory (*c*). From the whole Strain of which, it is plain that King *Henry* conſidered the Meſſage and Letter delivered to him by the *Scots* Herauld as a Declaration of War; which being unavoidable, he indulged his Humour ſo far, as to make uſe of many harſh and bitter Expreſſions, as if he had received, but never given any Cauſe for the Breach of the perpetual Peace. Who of the two was in the Wrong, I leave it to the Reader to determine. This is certain that

(*a*) p. 417. (*b*) Tom. 13. p. 382. (*c*) loc. cit.

the one did enter into a League, and make War againſt the King of *France*, with whom he had concluded a Truce that ought to have laſted during both their Lives, without any Provocation given to him; and that the other did not abſolutely eſpouſe the *French* Quarrel, till he had been provoked by many concurring Diſpleaſures. What theſe were his own Letter relates, and that of King *Henry* contains nothing to the contrary, but a poſitive Aſſertion that they were not real. And now there being no more Room for Treaties, both Parties made ready to enter upon Action; but the *Engliſh* were the firſt Aggreſſors. A conſiderable Party of them (*a*) paſt the Borders, and plundred a Part of the Country. Upon which the Lord *Hume*, Chamberlain of *Scotland* and Warden of the Marches, by Orders from Court invaded and over-run the moſt Part of *Northumberland*, where he did vaſt Damage. But, as he was returning with a great Booty, he was unawares attacked, and worſted by the Enemy, who had placed themſelves in an Ambuſh at a Paſs called *Broomhouſe*. Sir *William Bulmer*, who commanded them, had the Honour of that Victory, which, tho it was in it ſelf but inconſiderable, yet had this bad Effect, that it confirmed King *James* in his Anger, and prompted him to march in Perſon to the Borders with too great Haſte, and a ſmaller Army than ſuch an Expedition required. But before he ſet out, two very bad Omens, or rather Prodigies, are ſaid (*b*) to have happened; the one at *Linlithgow*, the other at *Edinburgh*. While the King was at the Place I mentioned firſt, expecting the Arrival of his Forces from the North and Highlands, he went one Afternoon, as he generally was wont to do, to the Church of St. *Michael*, to hear *Veſpers*, or the Even-Song. The Church was crowded with Numbers, and the King placed in one of the Chanon's Seats, to which a venerable old Man approached, and leaning over it, *Sir*, ſaid he, *I am ſent hither to entreat you for this Time to delay your Expedition, and to proceed no farther in your intended Journey; for, if you do, you ſhall not proſper, nor any of your Followers. I am farther charged to warn you, if you be ſo refractory as to go forward, not to uſe the Acquaintance, Company, or Counſel of Women, as you tender your Honour, Eſtate and Life.* Having ſpoke thus, he withdrew, and loſt himſelf among the Crowd, inſomuch, that, when the *Veſpers* were ended, he could not be found, tho the King called for him, and all took Pains to gratifie his Majeſty's and their own Curioſity, by enquiring what he was, from whence he came, to what Place he had retired, or by what means he could eſcape. But all in vain. It was obſerved, that his Aſpect was comely and Reverend, his Garment of an Azure Colour, falling down almoſt to his Heels, and girded about him with a Towel or Table-Napkin, his Fore-head high and inclining to Baldneſs, and that his amber coloured Locks hang down upon his Shoulders.

The *Engliſh* invade *Scotland*,

And defeat the Lord *Hume*.

Remarkable Warning given to the King.

In

(*a*) Holinſh. p. 430, 431, &c. Leſl. p. 345, 346, &c. (*b*) Buchan. p. 461. Hawthorn. ſub fin. Reg. Jac. IV.

In fine, he was not unlike to thoſe Pictures by which St. *Andrew* the Apoſtle and Patron of *Scotland* is commonly repreſented. From whence ſome People concluded, that God Almighty, out of his infinite Goodneſs and Wiſdom, had imployed that Saint as his Angel or Meſſenger, to warn the King and Nation of the Deſigns of his Providence. But, as this Conjecture will meet with no Credit from Proteſtants, ſo the King, tho a *Roman* Catholick, did not regard it; he rather believed that it was a Trick invented by thoſe who, he knew, were averſe to the War, and afraid leſt his Succeſs in the Field ſhould enable him to puniſh the old, but never to be forgotten, Tranſgreſſions committed by them againſt his Father and himſelf. He therefore removed from *Linlithgow* to *Edinburgh*, and his Army lay encamped in the *Burrow-moor* (a Field then ſpacious and delightful by the Shades of many ſtately and aged Oaks,) when about twelve of the Clock at Night, a Proclamation was heard at the Croſs of the Town, ſummoning a great many Burgeſſes, Gentlemen and Noblemen to appear within fourty Days before the Tribunal of one *Plot-cock*. The Lord Provoſt being awake in his Lodgings, heard his own Name amongſt the reſt, and preſently cryed out, *That he declined that Judicatory, and appealed to the Mercy of God Almighty.* This ſecond Appearance, whether true or falſe, furniſhed freſh Matter of Diſcourſe and Speculation; and many, but more particularly the Queen, an *Engliſhwoman* and King *Henry*'s Siſter, laid hold on the Opportunity to diſſwade the King from purſuing his March. But the brave Prince was fixed in his Reſolution, and his Courage being Proof againſt all their Attacks, he paſt the *Tweed* on the 22 of *Auguſt*, and encamped that Night near the River of *Twiſel*. On the 24th, being at *Tweſilhaugh* in *Northumberland*, (*a*) he made an Act with Advice of all his Lords who were with him at the time, declaring that the Heirs of all ſuch as ſhould die in the Army, or be killed by the Enemy during the Time of their Stay in *England*, ſhould have their *Wards*, *Relief* and *Marriages* of the King, who upon that account diſpenſed with their Age. This done,

Another bad Omen.

The King invades *England*.

He laid Siege to the Caſtle of *Norham*, which he took within a few Days by Capitulation: He alſo took and demoliſhed the Caſtles of *Wark*, *Ford*, *Etel*, &c. made many Priſoners, and a great Booty, by which his Soldiers were enriched, and the more covetous and cowardly among them thereby tempted to return Home, as ſeverals did, to the great diſcouragement of the Remainder. The Lady *Ford* and her beautiful Daughter were among the number of the Priſoners, and ſome ſay, that the Charms of the latter had, conformably to the old Man's Prediction, a fatal Influence upon the Mind of the King, who being ſoftned with Love, grew leſs intent upon the Buſineſs of War. Be this as it will, it is certain, that when there was occaſion to fight, he

His Succeſſes.

(*a*) Black Acts, f. 110.

expreſſed but too much Forwardneſs, and that, contrary to the Opinion of moſt of his Council, he declared, that with the Forces about him (and theſe, as I have already obſerved, were very few, *Leſly* (*a*) calls them a *Handful*,) he would engage the Enemy, altho their Numbers ſhould amount to 100000, whereas they were, according to *Engliſh* Authors, (*b*) but about 26000 or 30000 at moſt, and yet, according to the *Scots*, they outnumbered them by at leaſt one half; ſo that the Nobility muſt needs be ſtunned with that unaccountable Reſolution of their Prince, who being by the ſecret Impulſe of unſearchable Providence hurried on to his Fate, fondly imagined that every Man in his Army had as much Strength, Courage and Gallantry as himſelf. He found his Miſtake, even before the Engagement; for the Earl of *Angus*, the very ſame *Archibal Bell the Cat*, who had occaſioned the Mutiny of his Father's Army at the Bridge of *Lawder*, and by a long Series of the blackeſt Treaſons, at length effected the Ruin of that excellent Monarch, now alſo deſerted him, under pretence of old Age and Infirmity, and that he foreſaw the fatal Conſequences that muſt needs enſue upon the King's Obſtinacy. For this *Buchanan* (*c*) and *Godſcroft* cry him up to the Skies, not only as a Man of conſummate Prudence and Experience, but alſo as one, who having in the whole courſe of his Life given ſo many Demonſtrations of his inviolable Fidelity to the Crown and Country, that he needed not run the hazard of his Life upon this Occaſion. They obſerve that he left his two Sons behind in the Camp, who, to ſay the Truth, did their Duty, but take no notice of a great many others leſs gallant than they, who muſt have been intimidated by ſuch an Example; and if the Earl of *Angus* was not in a Condition to fight by reaſon either of Infirmity or his advanced Age, (he was then, according to *Godſcroft* (*d*) his Panegyriſt, but 61 or 62 Years old,) I do not ſee why he came to the Army at all, unleſs it was with a deſign to over-rule the King's Council by his Advice, and perhaps to hinder the Progreſs of his Arms, as was likewiſe thought of the Lord *Hume* and others, who having been inſtrumental in the Deſtruction of the Father, did not think that it conſiſted with their Safety to promote the Glory and Power of the Son. The Earl of *Huntley* ſhewed himſelf as averſe to a general Engagement as any of them; for, when on the 14th of *September* the Earl of *Surrey* Commander in chief of the *Engliſh* Army, ſent *Rouge Croix* Herauld with a Trumpet and Orders to declare to King *James*, "That in regard he had violated his Faith, and in a hoſtile manner invaded *England*, on "*Friday* next he would give him Battel, if his Majeſty would "ſtay ſo long as to accept it". *Huntley*, no leſs than *Angus*, urged, "That ſuch a Challenge was not to be regarded; that the King "had beſt return Home, and thereby avoid the endangering the "whole

His forward Reſolution.

Is deſerted by the Earl of *Angus* and others.

The Earl of *Huntley*, his Wiſdom.

(*a*) p. 346. (*b*) Ech. p. 630. (*c*) p. 464. (*d*) p. 235.

" whole Kingdom by ſo unequal a Combat; that he had already " done enough both for Fame and Revenge, and as much as in " Reaſon could be required for his Friendſhip with *France*; that " he had occaſioned a very conſiderable Diverſion, *Thomas How-* " *ard* Admiral of *England*, a Son of the Earl of *Surrey*, having " lately brought with him to *Newcaſtle* out of the *Engliſh* Army " that was employed againſt the *French*, five thouſand good Sol- " diers, beſides a thouſand tall Seamen: And why ſhould his " ſmall Army, which was already tired out by forcing of " Strengths and throwing down of Caſtles, be hazarded againſt " ſuch Multitudes of the Enemy, ſo lately ſupplied and aug- " mented with freſh Auxiliaries? That, if the King would re- " turn Home, the *Engliſh* Army could not fail to disband by rea- " ſon of the foul Weather (for there had not been one fair Day, " and ſcarcely one Hour of Sun-ſhine ſince the *Scots* entred *Eng-* " *land*,) and for want of Proviſions, the whole Country having " been forraged and laid waſte before the *Engliſh* Army could be " drawn together; that, if contrary to Expectation, the *Engliſh* " ſhould be able or willing to follow his Majeſty into *Scotland*, " their own Country, where the Fields, Paſſes, Rivers, *&c.* were " well known to them, would prove more convenient and ſecure, " in caſe of a Battel, than *Engliſh* Ground. And in fine, that " nothing could be more imprudent than to fight at the pleaſure " of an Enemy, and to hazard the King and Kingdom, becauſe " they forſooth would have it ſo". Thus, or to this purpoſe, the Earl of *Huntley*, who nevertheleſs added, " That as he ſubmit- " ted his Judgment to that of the King and Council, ſo he was " ready to ſhare in the Danger, as well as Glory of the contrary " Opinion;" And was as good as his Word, for the contrary Opini- on prevailed, the *French* Ambaſſador and they of his Faction having remonſtrated, " What a ſhameful Retreat the King muſt needs " make, if he ſhould retreat when the Enemy offered to fight, and " that by fighting in *England* he would preſerve his own Coun- " try from Depredations; that there was no fear of the Event, for " the *Engliſh* were not ſo much ſuperior in Number, as they " muſt needs be inferior in Courage and Conduct, their Army " conſiſting chiefly of the common Sort, whereas the moſt and " better part of the Nobility and Gentry of *Scotland*, were in the " *Scots* Camp; and it was never heard that the *Scots* Gentry and " Nobility did decline fighting when put to it, or that they did " fight without an abſolute Victory, or a total Overthrow, e- " ſpecially when animated by the Preſence and Example of their " Prince, and of ſuch a Prince as the World owned his Majeſty " to be." Upon theſe and the like Conſiderations, the King diſpatched his Herauld *Ilay*, together with *Rouge Croix*, with Or- ders to aſſure the Earl of *Surrey*, that *he ſo much deſired to meet him in the Field of Battel, that if he had been at* Edinburgh, *he would have*

And Cou- rage.

Bad Ad- vice of the *French* Am- baſſador.

left all Buſineſs for that Purpoſe. He alſo charged the Herauld to preſent the *Engliſh* General with a ſhort Manifeſto or Vindication of his Conduct in writing, which was publiſhed and worded as follows: "Where it is alledged, that we are come into *England* a- "gainſt our Band and Promiſe, thereto we anſwer, That our "Brother was bound as far to us, as we were to him; and when "we ſware laſt before his Ambaſſadors in preſence of our Council, "we expreſſed ſpecially in our Oath, that we would keep to our "Brother, if our Brother kept to us, and not elſe; we ſware that "our Brother broke firſt to us, and of his Breach we have "required him diverſe times of Amends, and lately we warned "him, as he did not us, ere we brake; and this we take for our "Quarrel, and by God's Grace ſhall defend the ſame at your af- "fixed time, which with God's help we ſhall abide.

The King receives and accepts a Challenge from the Enemy.

If we may believe our *Scots* Authors, the *Engliſh* General did not keep his Word, nor appear at the time he himſelf had fixed for the Battel; and this, ſay they, occaſioned thoſe of the *Scots* who were againſt fighting, to remonſtrate anew to the King: "That "it was plain that the Enemy, who had thus forfeited their Ho- "nour, deſigned to gain Time for ſome ſecret Deſign; that their "Forces increaſed daily, whilſt the *Scottiſh* Army decreaſed, and "that, if he would by no means retreat, it was neceſſary that to "make ſome amends for the Inequality of Number, he would at "leaſt remove to ſome convenient Place, where he might have "the Advantage of the Ground." This laſt Advice was follow- ed, and the *Scots* poſted themſelves on the Hill of *Flowdon*, where they could not be attacked without the great Hazard and Damage of the Aggreſſors. But in the mean time ſeveral uncom- mon Accidents fell out in the Army, which, being jointly conſider- ed with the ill Omens which I have already related, did not a little contribute to terrify the Minds, and to leſſen the Courage of the more irreſolute among them: For, as the King was in Coun- cil with his Lords, and asking their Opinions about the Order of his Battalions, a Hare ſtarted up in the midſt of the Aſſembly, and tho ſhe was purſued with great Noiſe and Shouting, and had a thouſand Arrows, Daggers and the like Engines of Death thrown after her, yet ſhe eſcaped ſafe and unhurt, to the Admiration of the whole Camp. It was alſo obſerved, that the Night before the Engagement, Mice had gnawn aſunder the Buckle and Leather of the King's Helmet, with which it ſhould have been faſtned to his Head, and that the Cloath or Veil of his inner-Tent ap- peared about the Dawning of the Day, as if it had been tinctured with Blood inſtead of Dew. But nothing could frighten the Heart of that undaunted Monarch into the leaſt Shew of Inconſtancy or Fear, and all the Satisfaction he would give to his moſt affectio- nate Nobles, who had now nothing at Heart but his perſonal Sa- fety, was to permit a Few of them to put on ſuch Arms as he wore,

Ill Omens before fight- ing.

The King perſonated by ſome of his Nobles.

wore, that ſo they might perſonate him, as the King of *France* had been perſonated by his Nobles at the Battel of *Fornow*, not long before, that thereby the Enemy might be deprived of the Opportunity of ſetting upon none but the real King, as the only Mark proper for them to aim at; and if the King ſhould fall, that his Army ſhould not loſe Courage by being aſcertained of his Death. Many urged, and had good reaſon to do ſo, that he would be pleaſed to ſtand at a convenient Diſtance, where he might view the Actions of both Parties, and like a wiſe General iſſue forth ſuch Orders, as he ſhould find neceſſary to improve Advantages, prevent Hazards and repair Loſſes. But in vain; he bravely, tho imprudently, replied, "That the Duties of a General and Soldier were not incom- "patible, that, if he was foiled, he reſolved not to out-live ſo many "faithful Subjects, as, he knew, would die in his Defence, and if "he came off, as he hoped he would do, with Victory, that he "ſhould have the Honour to ſhare in it, as much as any Man". His undaunted Courage.

Whilſt the *Scots* were thus preparing themſelves for Action and Defence, in caſe of their being attacked, News was brought to the King, that the *Engliſh*, having paſt the River of *Tyll* at *Twiſelbridge* and *Milford*, had already ſeized upon moſt of the Paſſes between him and *Scotland*, with a Deſign, either to cut off his Proviſions, or to march over the Borders and ravage the *Merſe*. But *Ægidion Muſgrave*, an *Engliſhman*, much in Favour with the King, to whom he gave many good Advices and certain Intelligence of the Poſture and Projects of his Countrymen, was poſitive that theſe laſt meant nothing by that Movement, but to draw the *Scots* from the Advantage of their Situation. Upon this it was reſolved, that the Army ſhould remove from that advantageous Ground, yet ſo as to keep ſtill upon the Aſcent, and, if poſſible, to ſeize upon another Hill nearer to *Scotland*, before the Enemy could reach it. Wherefore the King ordered his Hutts to be ſet on Fire, and ſo removed by the Benefit of the Smoak; but was not far gone, before he underſtood that he muſt inſtantly come to an Engagement. For the Earl of *Surrey*, having traverſed ſome Bogs and Mariſhes, had arrived at the Bottom of that Bank on which the *Scots* then were, and finding the Aſcent not very ſteep, was ready and reſolved to ſet upon them, the rather, becauſe he had now got a double Advantage over and above the Superiority of his Numbers; for the *Scottiſh* Ordnance could not much annoy his Men, they marching upwards and under the Level thereof; whereas the *Engliſh* by their Shot, could not fail to gall the *Scots* as they came downwards. Accordingly many of them were killed in the Deſcent, which occaſioned the Earl of *Huntley*, who commanded the right Wing (*a*), to make all the haſte imaginable, in order to a cloſe Engagement. That brave Nobleman was admirably well backed by the Forces of the North: Their

The two Armies draw near to one another.

Treble Advantage of the *Engliſh*.

(*a*) Buchan. p. 465. Hawthor. new Edit. p. 76.

The Earl of *Huntley* engages the Enemy with Succeſs.

Onſet was ſo fierce that nothing could ſtand before them, and Sir *Edmond Howard*, the youngeſt Son of the Earl of *Surrey*, tho he performed Wonders (*a*), was at length obliged to flee with the Remainder of thoſe 3000 Men who engaged under his Conduct, who, had they not eſcaped to the next Battalion commanded by the Lord *Dacres* and Baſtard *Heron*, muſt all have periſhed or been made Priſoners of War. This proſperous Beginning proved ruinous in the Event, for it raiſed an unwary Emulation in the Highlanders, who having the Earls of *Lennox* and *Argyle* at their Head (*b*), thought nothing impoſſible for them to effect, and therefore without Regard to Orders or Ranks, (notwithſtanding the *French* Ambaſſador *de la Motte* did all he could by Signs, Threatnings and Clamours, to reſtrain their undiſciplined Fury,) broke in upon a very well diſpoſed Body of the Enemy, who ſtood their Ground like experienced Soldiers, as they were, till Sir *Edward Stanley*, coming down from the Hill which he had traverſed, fell upon the Backs of the Highlanders, and cut great Numbers of them to Pieces. Lord *Thomas Howard*, the Admiral of *England* and the eldeſt Son of the General, was at the ſame Time engaged (*c*) with the Earls of *Crawford* and *Montroſe*, and it is owned that both Parties did Wonders, but none on either Side (*d*) performed more than the King himſelf. He was again told, that by coming to handy Blows, he could do no more than another Man, whereas by keeping the Poſt due to his Station, he might be worth many Thouſands (*e*). Yet he would not only fight in Perſon, but alſo on Foot; for he no ſooner ſaw that Body of the *Engliſh* give way, which was defeated by the Earl of *Huntley*, but he alighted from his Horſe, and commanded his Guard of Noblemen and Gentlemen to do the like, and to follow him. He had at firſt abundance of Succeſs, but at length the Lord *Thomas Howard* and Sir *Edward Stanley*, who had defeated their Oppoſites, coming in with the Lord *Dacres* Horſe, and ſurrounding the King's Battalion on all Sides, the *Scots* were ſo diſtreſſed, that for their laſt Defence, they caſt themſelves into a Ring, and being reſolved to die nobly with their Sovereign, who ſcorned to ask Quarters, were altogether cut off. So ſay the *Engliſh* Writers, and I apt to believe that they are in the right; tho, if any Credit may be given to what was then believed, and long after with much Confidence reported in *Scotland*, the King made his Eſcape from the Field of Battle (*f*), and was afterwards ſeen on the *Scottiſh* Side of the *Tweed* between *Kelſo* and *Duns*.

Highlanders diſordered.

The King fights on Foot.

Is killed.

Various Reports concerning his Death.

This Report gave Occaſion to another, *viz.* that he was killed in the Caſtle of *Hume* by the Villany of the Lord *Hume* and ſome of his Kindred, who had been bribed into the *Engliſh* Intereſt, or hoped to raiſe great Fortunes to themſelves amidſt the Troubles

(*a*) Holinſh. p. 421. (*b*) Buchan. Hawth. loc. cit. (*c*) Ech. p. 630, 631. (*d*) Ibid. (*e*) Holinſh. p. 422. (*f*) Buchan. p. 466. Hawth. new Edit. p. 77.

bles of an enſuing Minority, or, as the Earl of *Angus* and others, who had been acceſſory to the Rebellion againſt, and Death of King *James* III. could never think themſelves ſufficiently ſecured from the Reſentment of his Son, till they had alſo found Means to deſtroy him. The Conduct of one *Carr*, a Follower of the Lord *Hume*, gave ſome Ground to that uncharitable Conjecture: For that ſame Night that followed the Battle, he thruſt the Abbot of *Kelſo* out of his Abbacy, which, ſaid the Enemies of that noble, and now moſt eminently Loyal Family and Sirname of *Hume*, he had never attempted to do, if the King had been alive. Another Friend or Vaſſal of the ſame Family, called *David Carbreath*, is ſaid to have boaſted during the Adminiſtration of *John* Duke of *Albany*, that however the Duke preſumed to injure the *Humes*, he was one of Six of them, who had abated the Inſolence of King *James* IV. and brought him to know that he was mortal. Indeed the Lord *Hume* and his Brother were not long after beheaded, by the Orders and Management of the Duke, without any viſible Cauſe for ſo ſevere a Puniſhment; from whence People concluded that he was acted by ſecret Revenge. To all which I ſhall add, what is to be ſeen in a MS. Hiſtory of *Scotland* done by the Earl of *Nidſdale*, and preſerved in the *Scots* College of *Doway*, which is, "That during the Uſurpation of *Cromwell*, a Skeleton "girded with an Iron Chain and involved in a Bull's Skin was "found among the Ruines of the old Caſtle of *Roxburgh*, and "that the Iron Chain which King *James* IV. did at no Time lay "by, made People generally believe that it was the Body of that "Prince which they had diſcovered; but that the Nation being "then in Subjection, there was no way to make a further En-"quiry into the Matter; ſo the Skeleton was interred without "any Ceremony in the common Burial-place". What Truth may be in this, I do not determine; but as I have obſerved before, the *Engliſh* are poſitive, not only that the King was killed in the Action, but alſo that his Body was found upon the Spot, and being embalmed by Orders of their General, was carried to *Newcaſtle*, and preſerved there, till it ſhould be known after what Manner King *Henry* had a mind to diſpoſe of it.

That Prince pretended a great Veneration for, and Deference to the See of *Rome*, whoſe Quarrel he had ſo warmly eſpouſed, and by whoſe Orders King *James* was ſaid to have been excommunicated; and he having died under that Sentence, it was aſſerted in *England* and *Rome*, that he could not be interred with the Rites and Ceremonies of the Church, without a Diſpenſation from the Pope. Accordingly King *Henry* wrote to *Leo* X. for Leave to bury him in holy Ground, and his Holineſs (*a*) after narrating, "That he had been credibly informed that King *James* had given "ſome Signs of Repentance for the Crime that had occaſioned "his being excommunicated in the laſt Agony of his Death, em-

(*a*) Fœd. Angl. Tom. 13. p. 385.

Remarkable Bull of Pope Leo X.

" powered *Richard* Biſhop of *London* or any other, to enquire " whether theſe Signs of Repentance were real, and if they were, " to comply with the King of *England*'s Deſire, provided that the " King of *England* undertook to perform ſome Penance in Behalf " of the deceaſt King of *Scotland*". All this, I ſuppoſe, was nothing but Matter of Form, and I believe it will be no Breach of Charity to affirm, that the Penance, which King *Henry* undertook to perform, was neither laſting nor hard: However, it is certain, that he cauſed a Body, believed by the *Engliſh* to be that of the King of *Scotland*, to be ſometime honourably preſerved (*a*) at *Newcaſtle*, and afterwards royally interred at *Shene* in *Surry*. Whether it was really the King's, or that of the Lord *Elphinſton* his Favourite, as ſome thought (*b*), or as others (*c*) that of the Laird of *Bonhard*, is ſtill a Doubt; the rather, becauſe the laſt two had perſonated their Maſter in thoſe Quarters where they fought, and both being killed, one of them might be taken for him. But, adds *Hawthornden*, " That it was not the Body of the King, the Girdle of " Iron, which he ever wore, and then was not found about him, " *gave ſome, tho not certain, Teſtimony*".

Theſe two differing Opinions, concerning the Fate of the King, gave Occaſion to a third, which the common People greedily embraced; and was *this*, that he had not fallen in, nor after the Action, but was ſtill alive, and, as he had ever deſigned, had determined himſelf upon the Defeat of his Army, (if nevertheleſs his Army can be ſaid to have been defeated,) to paſs over the Seas, and to viſit the Sepulchre of our Lord and Saviour at *Jeruſalem*, where, added they, he deſigned to expiate all his Offences, but more particularly his Rebellion againſt his Father, by ſpending Part of his Days in Solitude, Prayer and Penance; and that when by theſe Means he had reconciled himſelf to the Favour of Heaven, he would return to the Comfort of his Royal Family and afflicted People. But, as ſeveral Authors have obſerved, this laſt Report *proved as groundleſs* as thoſe which were handed about of old among the *Britains* concerning their King *Arthur*, and more lately among the *Burgundians* concerning their Duke *Charles*, who having been killed, the firſt in *England*, the other at *Nancy* in *Lorrain*, both long after their reſpective Deaths were believed by their People to be alive.

The Victory uncertain.

I have juſt now inſinuated, that it is a Queſtion, whether it can be juſtly ſaid that the *Scots* Army was defeated upon this fatal Occaſion. I have the following Reaſons for making that Inſinuation. *Du Tillet*, a very exact *French* Author (*d*), is poſitive, " That " tho the King loſt his Life, yet he gained the Day, and that the " Loſs of the Battle occaſioned King *Henry*'s Return from *France*, " defeated his Deſigns upon *Guienne* and *Normandy*, and by conſe- " quence made way for the Peace that enſued". *Chambers* of Or-

mond

(*a*) Ech. p. 631. (*b*) Hawth. (*c*) Holinſh. (*d*) Chroniq. Abrig. des Roys de France, Edit. An. 1606. p. 148.

mond (*a*) ſays the ſame Thing, and Biſhop *Leſly* (*b*), as all other *Scots* Writers, no leſs poſitively aſſerts, that the Loſs ſuſtained by the *Engliſh* was much the greateſt: Which is the more probable, becauſe tho the King and the Flower, both of his Nobility and Gentry, were cut off, yet the *Engliſh* did not offer to purſue their pretended Victory; but on the contrary, marched immediately after it back to their reſpective Quarters or Habitations, in ſo much that the ſucceeding Winter no Invaſion was attempted by them, and ſcarcely any Act of Hoſtility committed. Beſides, the *Scots* did not flee from the Field of Battle, but after having fought bravley againſt their ſuperior Enemies, during the Space of three Hours, (for ſo long did the Action laſt,) were parted from them (*c*) by the Darkneſs of the Night, neither Party underſtanding which of them had the Advantage: And laſtly (*d*) a great Body of the *Scots* Army, commanded by the Lord *Hume*, remained intire, riffled the Slain during the Night, and did not retreat till the next Day. Which ſhews, what I have ſaid, that the Victory was dubious, tho not at all honourable to the Lord *Hume*, who, if *Holinſhed* may be believed, might have fixed it on the *Scottiſh* ſide, by giving but one brisk Onſet, either before or after the Fall of the King. But he was ſo far from making any ſuch Attempt, that, as *Hawthornden* tells us, when he was required by the Earl of *Huntley* to relieve the Battalion where the King fought, he anſwered, (at leaſt it was ſaid ſo,) *That that Man did well that Day, who ſtood and ſaved himſelf.* Which, if it be true, as I am very unwilling to think it, we may very juſtly conclude, that the very ſame Men, namely the Earl of *Angus*, the Lord *Hume* and their Followers, who by open Rebellion had ruined King *James* III. 25 Years before, did now by their conſequent Treachery very much contribute to the Deſtruction of King *James* IV. And this ſhews how miſchievous a thing Rebellion is, they who have once been guilty of it, never thinking themſelves ſecure from Puniſhment, but in the Ruin of their lawful Sovereigns and the Deſolation of their Native Countries.

Misbehaviour of the Lord *Hume*.

Indeed, if the Party meant to bring about theſe Miſchiefs, which yet I dare not aſſert, and am loath to believe, they had all the Succeſs they could have wiſhed; for tho in ſome other Actions many more *Scots* Men had fallen than in this, yet no Battel, ſince the Reſtoration of the Monarchy by King *Fergus* II. was ever ſo fatal to the Nation, by reaſon that here the King himſelf was ſlain or loſt, and with him the beſt and braveſt of his Nobility and Gentry. *Holinſhed* and *Hawthornden* have given us a Catalogue of ſuch of thoſe Worthies whoſe Names they had occaſion to know, but the laborious Mr. *George Crawford*, by peruſing the private Records of Families, has diſcovered

(*a*) Hiſt. Abreg. des Papes, Emp. & Roys, p. 199. (*b*) p. 349. (*c*) Hawthor. late Edit. p. 77. (*d*) Holinſh. p. 422. Hawthorn. loc. cit. Buchan. p. 466.

Names of the Nobility and Gentry who fell with the King.

many more, and kindly communicated them to me. I ſhall therefore, for the Honour and Encouragement of their Poſterity, inſert them in this place, tho I doubt not, but that ſome Hundreds of others had, as they, the Honour to die by their Maſter's ſide, or under his Eye, who, through the Negligence of Writers, and Injury of Times, muſt be buried in Oblivion. Next to the King, the moſt deſervedly lamented of all the Slain, was his natural Son *Alexander* Archbiſhop of St. *Andrews*, a Youth whoſe inexpreſſible Worth, even the Pen of *Eraſmus* could not ſufficiently extol, and that famous Author, formerly the Archbiſhop's Preceptor, ſeems to have outdone himſelf in the admirable Character which he has left us of him. The learned Editors of the much eſteemed Tranſlation of *Virgil*, done by *Gawin Douglas*, (*a*) have tranſcribed that Character, and Dr. *George Mackenzie* (*b*) has done the ſame; for which Reaſon, I ſhall ſay no more of it. Nor was the Archbiſhop the only one among the Clergy, who thought it not unbecoming their Character to fight for, and fall with their Sovereign: *George Hepburn* Biſhop of the *Iſles*, *William Bunſh* Abbot of *Kilwinning*, *Laurence Oliphant* Abbot of *Incheffray*, and Mr. *John Grant* had the ſame Fate. The moſt conſpicuous of the Nobility and Gentry were, *John Lindſay* Earl of *Crawford*, *Malcolm Stewart* Earl of *Lennox*, *William Hay* Earl of *Errol*, *John Stewart* Earl of *Athole*, *John Douglas* Earl of *Morton*, *Archibald Campbel* Earl of *Argyle*, *William Graham* Earl of *Montroſe*, *David Kennedy* Earl of *Caſſils*, *Patrick Hepburn* Earl of *Bothwel*, *William Leſly* Earl of *Rothes*, *William Sinclair* Earl of *Caithneſs*, *Cuthbert Cunningham* Earl of *Glencairn*, *George* Lord *Seton*, *John* Lord *Maxwel* and his three Brethren, *William* Lord *Borthwick*, *John* Lord *Sempil*, *Robert* Lord *Erskine*, *John* Lord *Forbes*, *Alexander* Lord *Elphinſtoun*, *John Hay* Lord *Yeſter*, *William Knolls* Lord of St. *Johns* and high Treaſurer of *Scotland*, *Andrew* Lord *Harris*, *Thomas Stewart* Lord *Innermeath*, *Henry* Lord *Sinclair*, *John* Lord *Roſs*, *George Douglas* Maſter of *Angus*, *William* Maſter of *Ruthven*, *Robert Keith* Maſter of *Marſhal*, *Thomas Fraſer* Maſter of *Lovat*, *Colin* Maſter of *Oliphant*, &c. Sir *Thomas Maule* of *Panmure* Anceſtor to the Earl of *Panmure*, Sir *Robert Livingſton* of *Eaſterweems*, Sir *John Haldane* of *Gleneagles*, Sir *William Maitland* of *Lithingtoun*, Sir *William Douglas* of *Glenbervie*, Sir *Alexander Seton* of *Parbroath*, Sir *Alexander Scot* of *Haſtenden*, Sir *Alexander Ramſay* of *Dalhouſy*, Sir *Patrick Houſton* of *Houſton*, Sir *William Douglas*, Sir *William Sinclair* of *Roſlin*, Sir *John Keith* of *Ludquharn*, Sir *John Somervel* of *Cambuſnethan*, Sir *Adam Hepburn* of *Craigs*, Sir *John Douglas*, Sir *Alexander Lawder*, Sir *John-Dunbar* of *Mochram*, Sir *Alexander Guthrie* of *Guthrie*, *Kenneth Mackenzie* of *Kintail* Anceſtor to the noble Family of *Seaforth*, *John Carnegy* of *Kinnaird* Anceſtor to the Earls of *Southesk* and *Northesk*, *David Hume* of *Wedderburn*, *James Abercromby* of *Ley* or *Birkenbog*, *Thomas Macklelan* of *Bomby*, *Hector Maklean* of *Dowart*

(*a*) See their Life of Gawin Douglas. (*b*) Second Vol. of Scots Writers, p. 555.

art, *James Haig* of *Bemerſide*, *John Crawford* of *Ardagh*, *Robert Crawford* of *Achnames*, *John Balfour* of *Denmill*, *Cuthbert Hume* of *Faſtcaſtle*, *Robert Blackader* of *Blackader*, *William Fleeming* of *Barochen*, *Andrew Pitcairn* of *Pitcairn*, *Archibald Graham* of *Garvock*, *Alexander Boſwal* of *Balmuto*, *James Henderſon* of *Fordil*, *Alexander Stewart* of *Garlies*, *William Spotiſwood* of *Spotiſwood*, *Adam Hall* Anceſtor to the Laird of *Fulbar*, *George Graham* of *Calendar*, *Archibald Naper* of *Marchiſtoun*, *John Cornwal* of *Bonhard*, *Thomas Boſwal* of *Auchinleck*, *Robert Arnot* of *Woodmill*, &c.

The *Engliſh* ſuſtained an equal, if not greater Loſs of Men, but moſt part of them being of the common ſort, their Numbers were not to be valued; and therefore when the next Day their General had taken a view of the Field, and ſeen the dead Bodies of ſo many Men of Note, eaſily diſtinguiſhable by their Armour and Cloaths, he concluded himſelf Victor, gave thanks to God, and cauſed the *Scottiſh* Ordnance, and particularly ſeven extraordinary fair Culverins of the ſame Size and Make, called *The ſeven Siſters*, to be tranſported to *Berwick*: But, as I have already obſerved, did not ſo much as offer to purſue the Chace, or think that he could improve his Advantage any farther than to glory in it, as he is ſaid to have done, (*a*) meanly with Oſtentation and Arrogance. I come now to the Character of that excellent Monarch, whoſe Life I have written, and who, notwithſtanding the very Enemy owned, (*b*) that in regard of his princely Vertues he deſerved a longer Life and Reign, was cut off in the thirty ninth Year of his Age, and twenty fifth of his Reign, on the ninth Day of *September* 1513.

Character of K. *James* IV.

The whole Life of King *James* IV. as it is written by Biſhop *Leſly*, is but one continued Panegyrick. That Prelate ſees no Blemiſh in him at all, ſave that he was at the Head of thoſe Rebels who waged *an impious War* with his Father: But in regard of the Violence put upon his Youth, and his never ending Sorrow for that Crime, Biſhop *Leſly*, as all others, is of Opinion, that it has been forgiven by Heaven, and ought not to be remembred as a Stain upon his Memory. He concludes, by telling us, "That "in him the Nation loſt a King, *moſt Warlike*, *moſt Juſt and moſt* "*Holy*, and that the Glory which he acquired at Home by his "Sanctity, abroad by the Juſtice of his Arms, and every where by "his Humanity, was equal to the Infamy which ſome Princes "his Contemporaries, contracted by their promoting of Hereſy, "and exerciſing of Tyranny. Now that a Biſhop, in Communion with, and dependent upon the Biſhop of *Rome* as chief Paſtor of the Church, ſhould be angry with Princes, in his Opinion, Heretical, is no matter of wonder; but that ſuch an one ſhould give the Epithets of *Juſt and Holy* to a King who made War againſt the Biſhop of *Rome*, and died under the Sentence of Ex-

(*a*) Buchan. p. 468. (*b*) Ech. p. 631.

communication, will ſeem ſtrange to ſuch as know not, that, in the Opinion of *Roman* Catholicks, Popes may be in the wrong; and that Biſhop *Leſly* thought the Quarrel in which King *James* IV. died, to have been unjuſt on the Side of the Pope and his Confederates, is evident; elſe he had never commended the King for the *Juſtice of his Arms.* I take notice of this the rather, becauſe, according to *Hawthornden*, *The wedding of others Quarrels, eſpecially of the* French, *ſeemeth in him inexcuſable*; whereas, the truth is, he could not avoid aſſiſting the *French*, as Matters ſtood, unleſs he had reſolved, contrary to all the Maxims of his Anceſtors, to deprive his Kingdom of the ſureſt, readieſt and greateſt Support it ever had, and by conſequence to lay himſelf naked and open to the Ambition of a powerful and encroaching Neighbour. He had then Reaſon to make War; but, what to me ſeems inexcuſable in him, was his obſtinate Reſolution to fight upon unequal Terms, when he might have retreated with Honour. By loſing a Battel, he expoſed his own Dominions to Conqueſt and Slavery, and by gaining one, he could not hinder either *Tournay* or *Feroüen* from being ſurrendred to the Enemy: But if, after having ravaged the North of *England*, and demoliſhed thoſe Caſtles that guarded it from Invaſion, he had returned to his own Country, he would probably have convinced King *Henry*, that it was more reaſonable for him to ſtay at Home and defend his own, than to ramble abroad and attack others. This, and this alone, was the Deſign of the War, and no more ought to have been attempted. But King *James*'s Courage was exceſſive, the Greatneſs of his Soul made him unluckily conſider a prudent Retreat as a cowardly Flight; and who knows but that the retaliating Juſtice of Almighty God was ſecretly working: For, tho no Man was ever more ſincerely penitent than he, for his being in ſome meaſure acceſſory to the Death of his Father, yet we ſee that Providence permitted him to die in the ſame manner, and, as ſome thought, by *much the ſame Hands.* He is ſeverely cenſured by *Buchanan* and *Hawthornden* upon another account: They ſay, "That "he affected ſo much Popularity, and was ſo magnificent in "Buildings, Feaſting, Tournaments, Largeſſes, *&c.* that he run "himſelf in Debt, and that, if he had lived longer, he muſt "needs have exacted vaſt Sums of Money from the People to "ſupply his Indigency, and thereby loſt all that Favour and "Love which he had ſo painfully purchaſed; inſomuch, add "they, that Death ſeemed to have ſeized him, rather opportune-"ly than prepoſterouſly." What Truth is in this, I know not; but, as other Authors make no ſuch Inſinuation, ſo all agree, that when he was told of the Murmurs and Diſſatisfaction of his Subjects, by reaſon of certain Dues which were exacted with too much Severity, he ordered his Officers to deſiſt, and choſe rather to give up his own Right, than that any ſhould complain of his doing them Wrong.

Wrong. He was ſo loath to offend, that, tho he recalled and annulled thoſe pretended Acts of Parliament, which had been made during his Minority to the Diſhonour of his Father and Detriment of his Crown and Conſcience, yet he never made uſe, as he might have done, of that Parliamentary Deed, to maletreat the Perſons, or to ſeize upon the Eſtates of thoſe who had impoſed upon his Youth, and given the firſt Precedent we ever had of Rebellion's being juſtified by Law in *Scotland*. His greateſt Fault ſeems to have been an immoderate Love to the fair Sex, for he had many Miſtreſſes and no few natural Children, of whom afterwards: And his idling away Time in the Company of the Lady *Ford's* Daughter, when he ſhould have been wholly taken up with the Buſineſs of the War, is, if it be true, a great Inſtance of his *Foible*. He is alſo ſaid to have confined the Earl of *Angus* for ſome time to the Iſland of *Arran*, for taking away Lady *Jean Kennedy*, a Daughter of the Earl of *Caſſils*, with whom he fell in Love, as he was going in Pilgrimage to St. *Ninian*'s in *Galloway*. In all other reſpects, he was, as *Leſly* calls him, *moſt holy*. He aſſiſted frequently at divine Service, and often viſited the more famous Churches of the Kingdom. He baniſhed all Theft, Rapine and Murder from the Country; inſomuch, that even the Highlands, Borders and remoteſt Iſles enjoyed a perfect Tranquillity. He made or renewed many excellent Laws; and yet held very few Parliaments after his Majority. He made a very conſiderable Figure among, and kept a conſtant Correſpondence with all the Princes of *Europe*, by moſt of whom he was courted, and to ſome of whom, namely the Kings of *France* and *Denmark*, and Duke of *Gueldre*, he did many good Offices. A great many of his Letters to the Pope, the Emperor, the Kings of *France*, *England*, *Spain*, *Portugal*, *Denmark* and *Poland*, the Queen of *France*, the Arch-duke of *Auſtria*, Hanſetowns, *&c.* are ſtill extant (*a*), as are alſo ſeveral of the Anſwers made by them to him: But theſe laſt are in all Reſpects ſo unlike to the former, that, if we were to judge of the Learning and Politeneſs of thoſe Times from the Peruſal of both, one muſt neceſſarily conclude, that as *Scotland* did longeſt preſerve the Remains of *Roman* Knowledge, when all other Nations (*Greece* only excepted) were debaſed by Conqueſt, Ignorance and Barbarity, ſo ſhe was the firſt that recovered the *Roman* Language; at leaſt, it muſt be owned that King *James* IV. was the firſt modern Prince who wrote Latin both with Majeſty and Elegancy. The firſt of thoſe Excellencies was no doubt owing to the Grandeur of his own Genius and the Sublimity of his Thoughts; but the Purity of the Language, and Elegancy of Stile, muſt be aſcribed to the accurate Pen of his Secretary Mr. *Patrick Panter* Abbot of *Cambuskenneth*: For *Buchanan* tells us, that the King had indeed a moſt pregnant Wit, but that by reaſon of the Negligence of thoſe Times, it was not

(*a*) In Bibl. Jurid. Edin.

cultivated with Letters. One Art, adds that Author, he greedily learned from the ancient Cuſtom of the Nation, which was that of curing Wounds; and was common to him, and to all the *Scots* Nobility of old, who being always in Arms, and often in Action, took care not to be ignorant of ſo neceſſary a Piece of Knowledge. But this King did not, it ſeems, entirely depend upon his own Skill, or that of his Nobility: For I find (*a*) that he was the firſt who gave Privileges to regular Chirurgeons, whom he formed into a Society or Incorporation, and the Employment is now ſo far improved, eſpecially at *Edinburgh*, that, as they who are of it, are generally well born and liberally educated, ſo they make a better Figure than the ſame Artiſts do any where elſe in *Europe*. All other Parts of Learning were certainly very much encouraged by this Monarch; who, tho, as *Hawthornden* obſerves, he delighted more in *Mars* than in the Muſes, yet failed not, in Imitation of his Father, to nouriſh and careſs the latter. Witneſs thoſe learned Men mentioned by Doctor *Mackenzie* (*b*), who flouriſhed in this and the preceeding Reign. But what was peculiar to King *James*, according to *Buchanan* and *Hawthornden*, was that happy Temper of his Mind, which kept him free from all violent Perturbations; for, ſay they, "He was never obſerved to give "an angry Word to any Body, nor did his Face, or the Colour "of his Countenance ever alter upon any Offence offered or In- "formations given him; ſo much did he rely upon his own good "Conſcience and innate Magnanimity". As for his external Parts, he was of a vigorous Body, neither too tall nor too low. He excelled in Horſmanſhip, Fencing and Shooting, and by the Uſe of Exerciſe, a ſlender Diet and much Watching, he had brought himſelf to endure with Eaſe and Pleaſure all Extremities of Weather, Fatigue and Scarcity. One of his *Deviſes* was an high Rock in the Midſt of a calm Sea, between two Promontories, or Necks of Land; on the Rock was placed a Column or Pillar, on whoſe Capital ſtood two *Cæſar*'s Heads endorſed and crowned with Garlands of Lawrel, reſpecting or looking towards the ſaid Promontories: The Word, *Utrumque*; by which he is ſuppoſed to have meant that he would have a watchful Eye over both the *French* and *Engliſh*. Several good Authors have celebrated his Praiſes in Verſe as well as in Proſe. I ſhall leave him with the Epitaph which he had beſtowed upon him for his wanting a Tomb.

His *Deviſe*.

His Epitaph.

Fama orbem replet, mortem ſors occulit; at tu
Deſine ſcrutari quod tegit oſſa ſolum:
Si mihi dent animo non impar fata ſepulchrum,
Anguſta eſt tumulo terra Britanna *meo.*

He

(*a*) See the Patent of the Incorpor. of Chirurg. (*b*) In his Life of Biſh. Leſl.

His Iſſue.

He had by the Queen his Wife four Children (*a*); *James* born at *Holy-rood-houſe* 21ſt of *February* 1507-8, who died 14th *July* 1510; *Arthur* born on the 20th *October* 1509, died in his Infancy; *James* born 5th *April* 1511, who ſucceeded him; *Alexander* born the 30th of *April* 1514 after his Father's Death, died the 15th of *January* 1516-17. His natural Iſſue, were *Alexander* Archbiſhop of St. *Andrews*, by *Mary Boyd* Daughter to *Archbald Boyd* of *Bonſhaw*; *Katharine*, married to *James* Earl of *Morton*, by the ſame Lady; *James* Earl of *Murray*, by *Jean Kennedy* Daughter to the Earl of *Caſſils*; *Margaret*, married to *John* Maſter of *Huntley*, by *Margaret Drummond* Daughter to *John* Lord *Drummond*, and *Jean* married to *Malcolm* Lord *Fleming* great Chamberlain of *Scotland*, by *Iſabel Stewart* Daughter to *James* Earl of *Buchan*.

(*a*) Crawfurd's Hiſt. of the Stewarts, p. 32, 33.

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